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Washington, Thursday, March 30, 1944

The President

EXECUTIVE ORDER 9432

DESIGNATION OF UNDER SECRETARY AND ASSISTANT SECRETARIES OF THE INTERIOR TO ACT AS SECRETARY OF THE INTERIOR

By virtue of and pursuant to the authority vested in me by section 179 of the Revised Statutes of the United States (5 U.S.C., sec. 6), I hereby authorize and direct the Under Secretary of the Interior to perform the duties of the Secretary of the Interior during the absence or sickness of the Secretary of the Interior; and I hereby further authorize and direct Assistant Secretary of the Interior Michael W. Straus or his successors, and in his absence or sickness Assistant Secretary of the Interior Oscar L. Chapman or his successors, to perform the duties of the Secretary of the Interior during the absence or sickness of both the Secretary and the Under Secretary of the Interior.

This order supersedes Executive Order No. 7277 of January 17, 1936.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 28, 1944.

[F. R. Doc. 44-4394; Filed, March 29, 1944; 10:54 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q.-Q. 48]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE

Introductory note: This revision of the quarantine and regulations permits more flexibility in the handling of seasonal and local problems through the issuance of administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine as provided in paragraph (b) of § 301.48-4.

The only additions to the regulated area are the Maryland election districts of North Branch (No. 16) in Allegany County and Hancock (No. 5) in Washington County and the cities of Princeton and Williamstown, W. Va. The heavily infested area remains the same as heretofore except for the inclusion of the township of West Leesport, Berks County, Pa.

This revision supersedes the quarantine issued effective February 12, 1941, the regulations of March 24, 1942, as amended effective January 14, 1943, and circulars B.E.P.Q. 527 effective April 26, 1943, and B.E.P.Q. 394, revised effective July 20, 1942.

Determination of the Secretary of Agriculture. The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle (Popillia japonica Newm.), a dangerous insect not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated the thirteenth revision of Notice of Quarantine, § 301.48, Part 301, Chapter III, Title 7, Code of Federal Regulations, and rules and regulations supplemental thereto, governing the movement of (1) fruits and vegetables; (2) nursery, ornamental, and greenhouse stock, and other plants; and (3) sand, soil, earth, peat, compost, and manure, from any of the above-named States or the District of Columbia, into or through any other State or Territory or District of the United States, §§ 301.48-1 to 301.48-14, inclusive, Part 301, Chapter III, Title 7, Code of Federal Regulations [B. E. P. Q.-Q. 48, effective March 24, 1942, as amended effective January 14, 1943].

The Secretary has determined that it is necessary to revise the aforesaid quar-

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FEDERAL REGISTER

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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antine and rules and regulations for the purpose of making changes in the regulated areas, and to make other minor modifications.

Order of the Secretary of Agriculture: Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), the subpart entitled "Japanese Beetle" of Part 301, Chapter III, Title 7, Code of Federal Regulations [B. E. P. Q.–Q. 48, as revised] is hereby revised effective March 30, 1944, to read as follows:

SUBPART—JAPANESE BEETLE

Sec.
301.48 Notice of quarantine.

RULES AND REGULATIONS

Meaning of Terms

301.48–1 Definitions.

Areas Under Regulation

301.48–2 Regulated areas.
301.48–3 Heavily infested area.

Articles Restricted

301.48–4 Restricted articles.

Conditions of Interstate Movement

301.48–5 Conditions governing interstate movement of restricted articles.

Conditions of Certification

301.48–6 Conditions governing the issuance of certificates and permits.

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301.48–7 Assembly of restricted articles for inspection.

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301.48–8 Cancelation of certificates or permits.

Cleaning of Vehicles

301.48–9 Cleaning of trucks, wagons, cars, boats, and other vehicles and containers.

Inspection of Shipments en Route

301.48–10 Inspection in transit.

Articles for Experimental and Scientific Purposes

301.48–11 Shipments for experimental and scientific purposes.

AUTHORITY: §§ 301.48 to 301.48–11, inclusive, issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161.

SUBPART—JAPANESE BEETLE

§ 301.48 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), the Secretary of Agriculture quarantines the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle. Hereafter (1) earth, soil, compost, and decomposed manure; (2) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; (3) cut flowers; and (4) fresh fruits and vegetables, shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States or District into or through any other State or Territory of the United States in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided*, That the restrictions of this quarantine and of the rules and regulations supplemental thereto may be limited to the areas in a quarantined State now, or which may hereafter be, desig-

nated by the Secretary of Agriculture as regulated areas, when, in the judgment of the Secretary of Agriculture, the enforcement of the aforesaid rules and regulations as to such regulated areas shall be adequate to prevent the spread of the Japanese beetle: *Provided further*, That such limitation shall be conditioned upon the said State providing for the control of the intrastate movement of the restricted articles and such other control measures with respect to such regulated areas as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the spread of the Japanese beetle therefrom to other parts of the State: *And provided further*, That whenever in any year the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions specifying the manner in which the applicable regulation should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof or for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

RULES AND REGULATIONS

Meaning of Terms

§ 301.48–1 *Definitions.* For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(a) *Japanese beetle.* The insect known as the Japanese beetle (Popillia japonica Newm.), in any stage of development.

(b) *Infestation.* This term refers to the presence of the Japanese beetle.

(c) *Regulated area.* Any area in a quarantined State or District which is now, or which may hereafter be, designated as such by the Secretary of Agriculture in accordance with the provisos of § 301.48 as revised.

(d) *Heavily infested area.* That portion of the regulated areas usually heavily and continuously populated with Japanese beetles, and in which dense flights of the adult may occur.

(e) *Noninfested premises, establishments, or areas.* That portion of the regulated areas in which no infestation exists, or in the vicinity of which no infestation is known to exist under such conditions as to expose it to infestation by natural spread of beetles, as determined by an inspector.

(f) *Nursery stock.* Forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes.

(g) *Soil-free, free from soil.* Devoid of soil in quantities sufficient to harbor immature stages of the Japanese beetle.

(h) *Inspector.* An inspector of the United States Department of Agriculture.

(i) *Interstate movement.* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, directly or indirectly, from a regulated area in one State or District of the United States to a nonregulated area or a protected area in any other State or Territory.

(j) *Certificate.* A valid form evidencing compliance with the requirements of these regulations.

(k) *Limited permit.* A valid form authorizing the interstate movement of restricted articles to a restricted destination for limited handling, utilization, or for processing.

Areas Under Regulation

§ 301.48–2 *Regulated areas.* In accordance with the provisos to § 301.48, the Secretary of Agriculture designates as regulated areas the following States, District, counties, townships, cities, towns, boroughs, and districts, or parts thereof, as described:

Connecticut. The entire State.

Delaware. The entire State.

District of Columbia. The entire District.

Maine. County of York; towns of Auburn and Lewiston, in *Androscoggin County;* towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarboro, Standish, and the cities of Portland, South Portland, Westbrook, and Windham, in *Cumberland County;* the city of Waterville, in *Kennebec County;* and the city of Brewer, in *Penobscot County.*

Maryland. The entire State except the counties of Garrett and St. Marys; and except the election districts of Orleans (No. 1), Oldtown (No. 2), Flintstone (No. 3), Gross (No. 21), and Kifer (No. 33), in *Allegany County;* and the election districts of Hill Top (No. 2), Cross Roads (No. 3), Allens Fresh (No. 4), Harris Lot (No. 5), Bryantown (No. 8), Patuxent (No. 9), and Marbury (No. 10), in *Charles County.*

Massachusetts. The entire State.

New Hampshire. Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield, Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County;* towns of Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in *Grafton County.*

New Jersey. The entire State

New York. Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Washington, and Westchester; towns of Red House and Salamanca, and the city of Salamanca, in *Cattaraugus County;* city of Auburn and the towns of Fleming, Owasco, and Sennett, in *Cayuga County;* towns of Amherst, Cheektowaga, and Tonawanda, and the cities of Buffalo and Lackawanna, in *Erie County;* towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and the city of Little Falls in *Herkimer County;* town of Watertown and city of Watertown in *Jefferson County;* town of Mount Morris and village of Mount Morris, in *Livingston County;* city of Rochester, towns of Brighton and Pittsford, and village of East Rochester, in *Monroe County;* town of Manchester, in *Ontario County;* cities of Fulton and Oswego, in *Oswego County;* towns of Catharine, Cayuta, Dix, Hector, Montour, and Reading, and the borough of Watkins Glen, in *Schuyler County;* towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and the cities of Corning and Hornell, in *Steuben County;* towns of Caroline, Danby, Dryden, Enfield, Ithaca, Newfield, and the city of Ithaca, in *Tompkins County;* towns of Luzerne and Queensbury and the city of Glens Falls, in *Warren County.*

Ohio. Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; the city of Coshocton, in *Coshocton County;* the city of Columbus, and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in *Franklin County;* townships of Kirtland, Mentor, and Willoughby, and the villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in *Lake County;* the township of Newark and the city of Newark, in *Licking County;* the city of Toledo in *Lucas County;* the township of Madison and the city of Mansfield, in *Richland County;* townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, the cities of Niles and Warren, and the villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in *Trumbull County.*

Pennsylvania. The entire State except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shenango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, the boroughs of Blooming Valley, Cambridge Springs, Cochranton, Conneaut Lake, Conneautville, Linesville, Saegerstown, Springboro, Townville, Venango, and Woodcock, in *Crawford County;* the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Lawrence Park, Le Boeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, and Wattsburg, in *Erie County;* the townships of Deer Creek, Delaware, Fairview, French Creek, Greene, Hempfield, Lake, Mill Creek, New Vernon, Otter Creek, Perry, Pymatuning, Salem, Sandy Creek, Sandy Lake, South Pymatuning, Sugar Grove, and West Salem, and the boroughs of Clarksville, Fredonia, Greenville, Jamestown, New Lebanon, Sandy Lake, Sheakleyville, and Stoneboro, in *Mercer County.*

Rhode Island. The entire State.

Vermont. Counties of Bennington, Rutland, Windham, and Windsor; and the town of Burlington, in *Chittenden County.*

Virginia. Counties of Accomac, Arlington, Culpeper, Elizabeth City, Fairfax, Fauquier, Henrico, Loudoun, Norfolk, Northampton, Prince William, Princess Anne, and Stafford; magisterial districts of Bermuda, Dale, Manchester, and Matoaca, in *Chesterfield County;* town of Emporia, in *Greensville County;* town of West Point, in *King William County;* magisterial district of Sleepy Hole, in *Nansemond County;* village of Schoolfield in *Pittsylvania County;* town of Pulaski, in *Pulaski County;* magisterial districts of Hampton, Jackson, and Wakefield in *Rappahannock County;* magisterial district of Courtland, in *Spotsylvania County;* town of Front Royal, in *Warren County;* magisterial district of

Newport, in *Warwick County;* magisterial district of Washington, in *Westmoreland County;* and the cities of Alexandria, Charlottesville, Danville, Fredericksburg, Hampton, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, South Norfolk, Suffolk, and Winchester.

West Virginia. Counties of Barbour, Brooke, Hancock, Harrison, Jefferson, Lewis, Marion, Monongalia, Ohio, Taylor, and Upshur; magisterial districts of Arden, Falling Waters, Hedgesville, and Opequon and the city of Martinsburg, in *Berkeley County;* districts of Charleston, Elk, Loudon, and Malden, the city of Charleston, and the town of South Charleston in *Kanawha County;* magisterial districts of Sand Hill, Union, Washington, and Webster, in *Marshall County;* the city of Princeton in *Mercer County;* town of Keyser and magisterial district of Frankfort, in *Mineral County;* the town of Rowlesburg, in *Preston County;* city of Hinton in *Summers County;* magisterial district of Lincoln in *Tyler County;* town of Paden City, in *Tyler* and *Wetzel Counties;* the cities of Parkersburg and Williamstown and magisterial districts of Lubeck and Tygart, in *Wood County.*

§ 301.48–3 *Heavily infested area.*

Delaware. The entire State.

District of Columbia. The entire District.

Maryland. Counties of Baltimore, Caroline, Cecil, Dorchester, Harford, Kent, Queen Annes, Somerset, Talbot, Wicomico and Worcester; election districts Nos. 3, 4, and 5, in *Anne Arundel County;* the city of Baltimore; election districts of Elk Ridge (No. 1), and Ellicott City (No. 2), in *Howard County.*

New Jersey. Counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Salem, Somerset, and Union; townships of Boonton, Chatham, Chester, Denville, East Hanover, Hanover, Harding, Mendham, Montville, Morris, Morristown, Parsippany-Troy Hills, Passaic, Randolph, and Washington, the town of Boonton and the boroughs of Chatham, Florham Park, Lincoln Park, Madison, Mendham, Morris Plains, and Mountain Lakes in *Morris County;* townships of Little Falls and Wayne, the cities of Clifton, Passaic, Paterson, and the boroughs of Haledon, Hawthorne, North Haledon, Prospect Park, Totowa, and West Paterson, in *Passaic County;* townships of Allamuchy, Franklin, Greenwich, Hackettstown, Independence, Lopatcong, Mansfield, Phillipsburg, Pohatcong, and Washington, and the boroughs of Alpha and Washington, in *Warren County.*

Pennsylvania. Counties of Bucks, Chester, Delaware, Lancaster, Montgomery, and Philadelphia; all of *Berks County* except the townships of Albany, Bethel, Centre, Greenwich, Jefferson, Marion, North Heidelberg, Penn, Perry, Tilden, Tulpehocken, Upper Bern, Upper Tulpehocken, and Windsor, and the boroughs of Bernville, Centreport, Hamburg, Lenhartsville, Shoemakersville and Strausstown; townships of Lower Allen, Monroe, and Upper Allen, and boroughs of Lemoyne, Mechanicsburg, and New Cumberland, in *Cumberland County;* townships of Londonderry, Lower Paxton, Lower Swatara, Susquehanna, and Swatara, the city of Harrisburg, and the boroughs of Highspire, Middletown, Paxtang, Penbrook, Royalton, and Steelton, in *Dauphin County;* all of *Lehigh County* except the townships of Heidelberg, Lowhill, Lynn, Washington, and Weisenberg, and borough of Slatington; all of *Northampton County* except the townships of Bushkill, Lehigh, Moore, Plainfield, Upper Mount Bethel, and Washington, and boroughs of Bangor, Chapman, East Bangor, Pen Argyl, Portland, Roseto, Stockertown, Walnutport, and Wind Gap; and all of *York County* except the townships of Carroll, Codorus, Dover, Franklin, Heidelberg, Jackson, Manheim, Monaghan, Paradise, Penn, Warrington, Washington, and West Manheim, and boroughs of Dillsburg, Dover, Franklintown, Hanover, Jefferson, Spring Grove, and Wellsville.

Virginia. Counties of Accomac, Arlington, and Northampton; magisterial district of Tanners Creek, in *Norfolk County,* and magisterial district of Kempsville, in *Princess Anne County.*

Articles Restricted

§ 301.48–4 *Restricted articles* — (a) *Movement from all regulated areas.* Unless exempted by administrative instructions and except as hereinafter provided, the interstate movement of the following articles from regulated areas to points outside thereof is restricted:

(1) Earth, soil, compost, and decomposed manure of any kind moved independent of or in connection with nursery stock or any other articles or things, except that gravel, sand, greensand marl, and clay originating from pits, mines, or deposits, and that compost, humus, and decomposed manure when dehydrated, ground, pulverized, or compressed, are exempt from the restrictions of this quarantine.

(2) Nursery stock.

(b) *Movement from heavily infested areas.* Unless exempted by administrative instructions the interstate movement, either on direct billing, diversion, or reconsignment, from the heavily infested areas to points outside the regulated areas, of the products named in subparagraphs (1) and (2) of this paragraph, is restricted each summer during the period of heavy flight of the beetle, the dates of the beginning and cessation of which shall be based on seasonal observation of emergence and disappearance of the adult beetles and shall be as designated in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine: *Provided,* That identical restrictions shall also apply to the interstate movement of the products from the heavily infested areas to such isolated, lightly infested, regulated areas as may be designated from year to year in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine when it has been determined by him that such areas should be so protected.

(1) Unprocessed, fresh, cut flowers when moved in bulk direct from the field or greenhouse where grown, or from a distributor.

(2) Fresh fruits and vegetables of all kinds when shipped by refrigerator car or motortruck only.

Conditions of Interstate Movement

§ 301.48–5 *Conditions governing interstate movement of restricted articles* — (a) *Certification.* Except as provided herein, or in subsequent administrative instructions, articles designated in § 301.48–4 shall not be moved interstate from the respective areas as specified therein (paragraphs (a) and (b)) to points outside the regulated areas, unless a certificate or permit shall have been issued therefor in compliance with these regulations.

(b) *Safeguards against reinfestation.* Subsequent to certification, as provided in the foregoing paragraph, the restricted articles must be loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

(c) *Marking.* Every container of articles, the interstate movement of which is restricted as provided in § 301.48–4, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment, and shall have securely attached to the outside thereof a valid certificate or permit issued in compliance with these regulations: *Provided,* That (1) in the case of lot freight shipments other than by road vehicle, a certificate attached to one of the containers and another certificate attached to the waybill will be sufficient, and carlot freight or express shipments, either in containers or in bulk, require a certificate attached to the waybill and shall also have attached to the outside of the car a placard showing the number of the certificate accompanying the waybill; (2) in the case of shipment by road vehicle, the certificate shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

(d) *Articles originating outside the regulated area.* No certificates are required for the interstate movement of restricted articles originating outside the regulated areas and moving through or reshipped from a regulated area, when the point of origin is clearly indicated, when the identity has been maintained, and when the articles are safeguarded against infestation while in the regulated areas.

Conditions of Certification

§ 301.48–6 *Conditions governing the issuance of certificates and permits* — (a) *Certification of earth, soil, compost, and decomposed manure.* Certificates may be issued for the interstate movement of these products under any one of the following conditions:

(1) When they have originated on noninfested premises, establishments, or areas. (See § 301.48–1 *Definitions.*)

(2) When the soil has been removed, under the observation of the inspector, from a depth of more than 12 inches below the surface of the ground.

(3) When the soil, compost, or decomposed manure has been fumigated, sterilized, or treated under the observation of an inspector by methods authorized in administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine; or when, in the judgment of the inspector, they have been handled or processed in a manner to free them from infestation.

(b) *Certification of nursery stock.* Certificates may be issued for the interstate movement of nursery stock under any one of the following conditions:

(1) When the soil about the roots of the plants has been treated, sterilized, or fumigated under the observation of an inspector and in accordance with methods authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine.

(2) When the plants have been made soil-free.

(3) When the nursery stock originated on noninfested premises, establishments, or areas. (See § 301.48–1 *Definitions.*)

(4) When the nursery stock has been produced under protected conditions in greenhouses, potting beds, heeling-in areas, hotbeds, coldframes, and similar plots, in the infested area, in which the ventilators, doors, and all other openings have been kept screened to the inspector's satisfaction during such periods as he may designate:

Provided, That in order to maintain an infestation-free status under paragraph (b) (3) and (4) of this section, the operator of the establishment must restrict all receipts of nursery stock and other restricted articles from points within the regulated areas to articles certified or certifiable without further treatment. The operator must report to the inspector the source of all nursery stock and other regulated articles received on such premises and must maintain a record, accessible to the inspector, of all shipments made to points outside the regulated areas. Premises will lose their infestation-free status if there are received thereon quarantined articles from the regulated area which are not certified or certifiable without further treatment. Infestation-free establishments, together with their environs, will be inspected during the active adult season and their status determined on the basis of such inspections.

(c) *Certification of cut flowers.* Certificates may be issued for the interstate movement of restricted cut flowers from the heavily infested area to points outside the regulated areas, under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to adult beetle infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been fumigated under the observation of an inspector by method authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine.

(d) *Certification of fruits and vegetables.* Certificates may be issued for the interstate movement by refrigerator car or motortruck of fresh fruits and vegetables originating or loaded in or reshipped from the heavily infested area interstate to points outside the regulated areas under any one of the following conditions.

(1) When, in the judgment of the inspector, they have not been exposed to adult beetle infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been harvested, handled, graded, or processed in a manner, in the judgment of the inspector, to free them from infestation.

(4) When they have been fumigated under the observation of an inspector by method authorized in administrative instructions by the Chief of the Bureau of Entomology and Plant Quarantine:

Provided, That, under the first three of these conditions, the refrigerator cars or motortrucks used for transporting such fruits and vegetables shall be thoroughly swept, cleaned, or fumigated prior to loading; and shall in all cases while in the heavily infested area, be screened, covered, sealed, or otherwise protected in manner or method to safeguard the articles from infestation, as may be required by the inspector.

(e) *Limited permits.* Limited permits may be issued for the interstate movement of noncertified restricted articles to specified destinations for processing or other handling. Persons shipping, transporting, or receiving such articles may be required to enter into written agreements to maintain such sanitation safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of restricted products and to the cleaning of cars, trucks, and other vehicles used in the transportation of such articles as may be required by the inspector.

Procedure for Applicants

§ 301.48–7 *Assembly of restricted articles for inspection.* Persons intending to move interstate any of the articles restricted by these regulations shall make application for inspection as far in advance as possible, and will be required to prepare, handle, and safeguard such materials from infestation, and to assemble them at such points as the inspector shall designate, placing them so that inspection may be readily made. All costs including storage, transportation, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

Certificates and Permits May Be Canceled

§ 301.48–8 *Cancelation of certificates or permits.* Certificates or permits issued under these regulations may be withdrawn or canceled by the inspector and further certification refused whenever the further use of such certificates or permits might result in the dissemination of infestation.

Cleaning of Vehicles

§ 301.48–9 *Cleaning of trucks, wagons, cars, boats, and other vehicles and containers.* When in the judgment of the inspector a hazard of spread of infestation is presented, thorough cleaning of trucks, wagons, cars, boats, and other vehicles and containers may be required before movement interstate to points outside of the regulated areas.

Inspection of Shipments En Route

§ 301.48–10 *Inspection in transit.* Any car, vehicle, basket, box, or container moved interstate or offered to a common carrier for shipment interstate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is restricted by these regulations, shall be subject to inspection by an inspector at any time or place, and when actually found to involve danger of dissemination of Japanese beetle to uninfested localities, measures to eliminate infestation may be required as a condition of further transportation or delivery.

Articles for Experimental and Scientific Purposes

§ 301.48–11 *Shipments for experimental and scientific purposes.* Articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The containers of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine.

Done at Washington, D. C., this 28th day of March 1944. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

APPENDIX

PENALTIES

The Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), provides that no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds * * * or any other article * * * specified in the notice of quarantine * * * in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. It also provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500, or by imprisonment not exceeding 1 year, or both such fine and imprisonment, in the discretion of the court.

STATE AND FEDERAL INSPECTION

Certain of the quarantined States have promulgated or are about to promulgate quarantine regulations restricting intrastate movement supplemental to the Federal quartine. These State regulations are enforced in cooperation with the Federal authorities. Copies of either the Federal or State quarantine orders may be obtained by addressing the United States Department of Agriculture, 503 Main Street, East Orange, N. J.

Subsidiary offices are maintained at the following locations:

Connecticut: Agricultural Experiment Station, 123 Huntington Street, New Haven, Conn.

Maryland: 2 Sherwood Avenue, Pikesville, Md. Room 205, New Post Office Building, Main Street, Salisbury, Md.

Massachusetts: 144 Moody Street, Waltham, Mass.

New Jersey: Kotler Building, Main and High Streets, Glassboro, N. J. P. O. Box 1, Trenton (1), N. J., or Yardville Road, White Horse, N. J.

New York: Room 838, 641 Washington Street, New York (14), N. Y. Room 200, 2507 James Street, Syracuse (6), N. Y.

Ohio: 21065 Euclid Avenue, Euclid (17), Ohio.

Pennsylvania: 6905 Torresdale Avenue, Philadelphia, Pa. Room 504, Bessemer Build-

ing, Sixth Street and Duquesne Way, Pittsburgh (22), Pa.

Virginia: Room 284, Brokers' Exchange Building, 264 West Tazewell Street, Norfolk, Va. 17 North Boulevard, Richmond (20), Va.

West Virginia: 245 West Philadelphia Avenue, Bridgeport, W. Va. (Mail box 197).

Arrangements may be made for inspection and certification of shipments from the District of Columbia by calling Republic 4142, branch 2598, inspection house of the Bureau of Entomology and Plant Quarantine, 224 Twelfth Street SW., Washington, D. C.

GENERAL OFFICES OF STATES COOPERATING

Department of Entomology, Agricultural Experiment Station, New Haven, Conn.

Board of Agriculture, Dover, Del.

State horticulturist, Augusta, Maine.

Department of Entomology, University of Maryland, College Park, Md.

Division of Plant Pest Control, Department of Agriculture, Statehouse, Boston, Mass.

Deputy commissioner, Department of Agriculture, Durham, N. H.

Bureau of Plant Industry, Department of Agriculture, Trenton, N. J.

Bureau of Plant Industry, Department of Agriculture and Markets, Albany 1, N. Y.

Division of Plant Industry, Department of Agriculture, Columbus 15, Ohio.

Bureau of Plant Industry, Department of Agriculture, Harrisburg, Pa.

Bureau of Entomology, Department of Agriculture, Statehouse, Providence, R. I.

Entomologist, Department of Agriculture, Montpelier, Vt.

Division of Plant Industry, Department of Agriculture and Immigration, Richmond 19, Va.

State entomologist, Department of Agriculture, Charleston 5, W. Va.

[F. R. Doc. 44-4386; Filed, March 28, 1943; 3:30 p. m.]

[B. E. P. Q. 533]

PART 301—DOMESTIC QUARANTINE NOTICES

JAPANESE BEETLE QUARANTINE; EXEMPTED ARTICLES

§ 301.48d *Administrative instructions; articles exempt from certification.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the third proviso of § 301.48, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 48), the following articles, the interstate movement of which is not considered to constitute a risk of Japanese beetle dissemination, are exempted from the restrictions of the regulations of this quarantine, effective March 30, 1944.

Nursery stock. Under this classification, the following articles are exempted:

True bulbs, corms, and tubers, when dormant, except for storage growth, and when free from soil.

Single dahlia tubers or small dahlia root-divisions when free from stems, cavities, and soil. (Dahlia tubers, other than single tubers or small root-divisions meeting these conditions, require certification.)

Orchid plants when growing exclusively in Osmunda fiber.

Trailing arbutus, or Mayflower (Epigaea repens), when free from soil.

Moss and clubmoss, ground-pine or running-pine, when free from soil.

Soil-free aquatic plants.

Soil-free sweetpotato draws.

Soil-free plant cuttings without roots.

Soil-free rooted cuttings, which, at the time of shipment, have not developed a root system sufficient to conceal larvae of the Japanese beetle.

Cut flowers. Under this classification, cut orchids are exempted.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.48)

Done at Washington, D. C., this 26th day of February 1944.

P. N. ANNAND,
Chief.

[F. R. Doc. 44-4369; Filed, March 28, 1944; 3:28 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 53, Amdt. 3]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DISTRIBUTION OF ANIMAL OIL, NEAT'S-FOOT OIL AND RED OIL

Food Distribution Order 53, as amended (9 F.R. 938), § 1460.15, is amended as follows:

1. By deleting the word and figures "March 31, 1944" in paragraph (d) thereof and inserting in lieu thereof the word and figures "June 30, 1944".

2. By adding immediately after the end of paragraph (r) thereof the following:

(s) *Temporary suspension of (b) and (c) with respect to distilled red oil and neat's-foot oil which has been pressed.* The restrictions and provisions of (b) and (c) hereof, shall not apply to the delivery, acceptance of delivery, use, processing, or blending of distilled red oil or neat's-foot oil which has been pressed, by any person, when such delivery, acceptance of delivery, use, processing, or blending occurs during the period beginning on April 1, 1944, and ending on June 30, 1944.

(t) *Inventory limitations with respect to neat's-foot oil which has been pressed.* No person, other than a producer or distributor, shall, after April 1, 1944, accept delivery of any neat's-foot oil which has been pressed which will cause his inventory of neat's-foot oil which has been pressed to exceed a quantity equal to 5000 pounds, or the aggregate amount of neat's-foot oil which had been pressed and which was used, processed, or blended, by him during any two consecutive calendar months in the period beginning on July 1, 1943, and ending on December 31, 1943, whichever is greater. In computing the aggregate amount of neat's-foot oil which had been pressed which was used, processed, or blended by any person in any two consecutive calendar months in the period beginning on July 1, 1943, and ending on December 31, 1943, the same oil shall not be counted more than once.

(u) *Distilled red oil set aside.* On May 1, 1944, and June 1, 1944, every producer shall set aside and hold for delivery pursuant to specific authorizations by the Director a quantity of distilled red oil equal to one-third of the total amount of distilled red oil produced by him in the preceding calendar month. Any distilled red oil required to be set aside hereunder and the delivery of which is not specifically authorized by the Director prior to the first day of the succeeding calendar month, shall be released from the restrictions of this paragraph on the first day of such succeeding calendar month.

(v) *Orders for distilled red oil which is not to be used for the production of liquid, industrial laundry, or household laundry soap given preference.* (1) Every person, except a distributor, who desires to obtain distilled red oil from a producer or distributor in April, May, or June 1944, for any purpose other than the production of liquid, industrial laundry, or household laundry soap, shall, prior to the delivery of the distilled red oil to him, deliver to such producer or distributor a written order for such distilled red oil, which has attached thereto, or included therein, a certificate properly filled out and signed by him, in the following form:

The undersigned hereby certifies to the War Food Administration and to _____
(supplier)
that this certificate constitutes a part of an order by him to said supplier for_____ pounds of distilled red oil to be delivered on or about _____, and that none
(date)
of the distilled red oil which may be received by the undersigned pursuant to such order will be used by him in the production of liquid, industrial laundry, or household laundry soap.

_____
(Purchaser)

By _____
(Authorized official)

_____
Date

No person who receives distilled red oil as the result of such a certified order shall use any of the distilled red oil so received in the production of liquid, industrial laundry, or household laundry soap.

(2) No producer or distributor shall deliver distilled red oil to any person, other than a distributor, in any calendar month in the period beginning on April 1, 1944, and ending on June 30, 1944, except pursuant to a specific authorization by the Director or an order certified in accordance with the provisions of (v) (1) hereof, unless and until he has delivered, offered to deliver, or made provision to deliver all distilled red oil which is ordered from him by means of orders, certified in accordance with the provisions of (v) (1) hereof, which are received by him at any time before the sixteenth day of such calendar month, and if subject to (u) hereof, has set aside the amount of distilled red oil required thereunder.

This amendment shall become effective on April 1, 1944, at 12:01 a. m., e. w. t. However, with respect to violations of said Food Distribution Order 53, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order 53, as amended, shall be deemed to be in full force and effect for the purpose of sus-

taining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 27th day of March 1944.

ASHLEY SELLERS,
Acting War Food Administrator.

[F. R. Doc. 44-4309; Filed, March 27, 1944; 4:18 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 11—ASSISTANCE TO RELATIVES AND OTHERS IN CONNECTION WITH DECEASED PERSONNEL

EFFECTS OF DECEASED PERSONNEL

Paragraph (d) of § 11.4a (8 F.R. 11466), pertaining to effects of deceased personnel, is amended as follows:

§ 11.4a *Disposition of effects of deceased personnel.* * * *

(d) (1) The personal effects will be securely packed in a suitable container, with the original list of effects inclosed, and shipped to the Effects Quartermaster, Army Effects Bureau, Kansas City Quartermaster Depot, Kansas City, Mo.

(2) Where, however, death occurs outside the limits of the States of the United States and the District of Columbia and the summary court determines that the person or persons legally entitled under Article of War 112 to receive the effects are resident within the country in which death occurred, in territories or possessions of the United States, or in neutral or allied countries, and if in the light of circumstances the summary court considers it more practicable to transmit the effects to such person or persons directly rather than through the Effects Quartermaster, Army Effects Bureau, Kansas City Quartermaster Depot, Kansas City, Mo., the court will transmit the effects at Government expense to such person or persons in accordance with the provisions of Article of War 112. If any monies remain after action prescribed in paragraph (b) of this section is taken by the court, such monies will not be converted as stated in paragraph (c), but will be transmitted with the other effects to the person or persons entitled thereto. In cases in which such person or persons are resident in an allied or neutral country and direct transmission of effects is not practicable, he or they may be requested to designate, by written notice in triplicate to the summary court, a consular representative at or near the place where the officer exercising the authority of a summary court is stationed, as his or their agent for acceptance of the effects of the deceased person; but if the person or persons so entitled to the effects fail or refuse upon request to designate a consular representative as agent for acceptance of the effects, the summary court will dispose of the effects in accordance with the procedure otherwise provided in this section. The original and one copy of all papers, including the summary court's final report, list of the effects actually shipped, receipt of the person or persons receiving the effects, and the authority of the consular representative to act as agent if required, will be mailed to the Effects Quartermaster, Army Effects Bureau, Kansas City Quartermaster Depot, Kansas City, Mo.

(41 Stat. 809, 46 Stat. 1203; 10 U.S.C. 1584, 1584a) [Par 16*a*, W.D. Circular 195, Sept. 1, 1943, as amended by W.D. Circular 118, Mar. 22, 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-4383; Filed, March 28, 1944; 4:35 p. m.]

Chapter VI—Organized Reserves

PART 64—ENLISTED RESERVE CORPS

CURRENT PROCEDURES GOVERNING ENLISTMENTS, ETC.

The following current procedures govern the enlistment in, transfer to, call to active duty from, and discharge from the Enlisted Reserve Corps:

1. *Enlistments in Enlisted Reserve Corps.* *a.* All enlistments in the Enlisted Reserve Corps will be in the seventh grade only. All men enlisted in the Enlisted Reserve Corps must be qualified for general military service.

(1) *Enlisted Reserve Corps, unassigned.* Any man who has attained his seventeenth birthday but has not attained his eighteenth birthday may be enlisted in the Enlisted Reserve Corps, unassigned, provided consent of his parents or guardian is obtained. Included in this category are successful applicants in the Army-Navy College Qualifying Tests.

(2) *Air Corps Enlisted Reserve (ACER).* Any man who has attained his seventeenth birthday but has not attained his eighteenth birthday may be enlisted in the Air Corps Enlisted Reserve, provided he has previously qualified for aviation cadet training under current standards and provided the consent of his parents or guardian is obtained.

b. Commissioned officers of the Medical Administrative Corps, Army of the United States, or the Officers' Reserve Corps, who are on an inactive status for the purpose of pursuing training in medicine, dentistry, veterinary medicine, or in preparation therefor at their own expense, may resign their commissions and enlist in the Enlisted Reserve Corps, unassigned, within 15 days after resignation under the authority contained in current War Department instructions.

2. *Transfers to enlisted reserve components.* No enlisted person will be released from active service and transferred to the Enlisted Reserve Corps unassigned, or to the Air Corps Enlisted Reserve without authority of the War Department, except as follows:

a. Voluntary induction and transfer to the Air Corps Enlisted Reserve of instructors and mechanics employed by civilian contract flying schools under contract with the War Department to train aviation cadets is authorized.

b. United States citizens of Japanese ancestry who are inducted in the Army under normal induction procedures will be transferred to the Enlisted Reserve Corps, unassigned, to await call to active duty.

c. Women at the time of enlistment in the Women's Army Corps may be transferred to the Enlisted Reserve Corps, unassigned, to await call to active duty.

d. Enlisted men, except former members of the National Guard, over 38 years of age serving overseas and having applied for release under the provisions of current War Department instructions, and whose applications have not been processed may be released and transferred to the Enlisted Reserve Corps, unassigned, or the Air Corps Enlisted Reserve, whichever is appropriate, upon return to the continental limits of the United States.

3. *Call to active duty.* *a.* Men enlisted under the authority contained in paragraph 1*a* (1) and (2) will not be ordered to active duty until they have attained their eighteenth birthday but in every instance will be ordered to active duty within 6 months after attaining such age: *Provided,* That—

(1) Students in colleges and secondary schools may, upon their own application, be deferred from call to active duty to complete the semester, quarter, or trimester in which they reach their respective eighteenth birthdays: *Provided, further,* That no such student will be deferred more than 6 months after reaching his eighteenth birthday.

(2) Students in the Army Specialized Training Reserve Program will not be called to active duty until the end of the term in which they reach their respective eighteenth birthdays.

b. United States citizens of Japanese ancestry who have been inducted and transferred to the Enlisted Reserve Corps, unassigned, will be called to active duty for training in groups as determined by the needs of the service.

c. Enlisted personnel transferred to the Enlisted Reserve Corps, unassigned or to the Air Corps Enlisted Reserve to accept employment in essential industry, including agriculture or other essential civilian employment, may be recalled to active duty—

(1) At the expiration of the deferment period.

(2) Upon failure to remain employed in essential industry.

(3) Upon recommendation of the State Director of Selective Service or the employer concerned, with the approval of the War Department.

d. Members of the Air Corps Enlisted Reserve placed in such category by reason of their employment in key position, civilian flying training schools under contract with the War Training Service (CPT), Civil Aeronautics Administration, civilian flying trainng schools under contract with the War Department to train aviation cadets, when released from such employment by reason of personnel reduction or for other causes be-

yond control of the individual, will be given an opportunity to express a preference for either call to active duty for service in an enlisted status with the Army Air Forces, or for discharge from the Air Corps Enlisted Reserve. If, however, the release of such Reservists is not occasioned by causes beyond their control, they will be called to active duty in enlisted status for service with the Army Air Forces. Air Corps Enlisted Reservists employed by the Air Transport Command, or by civilian airlines under contract with the Government, will be called to active duty at the request of the Commanding General, Army Air Forces, upon notification by the employer of the individuals concerned of their separation from such employment, or sooner if the military situation requires.

e. Preprofessional students (premedical, predental, and preveterinary) who are members of the Enlisted Reserve Corps, unassigned, and who have upon their own application continued on an inactive status to complete preprofessional work at their own expense under the authority contained in current War Department instructions, will be called to active duty upon completion of minimum requirements for admission to schools of medicine, dentistry, or veterinary medicine, or upon the initiation of ASTP preprofessional training at the institutions which they are attending.

f. Members of the Enlisted Reserve Corps, unassigned, referred to in paragraph 1*b*, who are at the time of their resignation attending an approved school of medicine, dentistry, or veterinary medicine, will be called to active duty immediately upon enlistment. Those who have completed the minimum requirements for admission to the appropriate school of medicine, dentistry, or veterinary medicine, and where the interval between the date of enlistment (or date of this circular, in the case of those now enlisted) and the entering date of the class for which accepted is 8 weeks or less, will be called to active duty at such time as will enable them to arrive at the respective institution by which accepted not later than 5 days prior to the entering date of the class for which accepted. Those who have completed such minimum requirements, and where the interval between the date of enlistment (or date of this circular, in the case of those now enlisted) and the entering date of class for which accepted is more than 8 weeks, will be called to active duty immediately upon enlistment, or as soon as practicable after date of this circular, in the case of those now enlisted.

g. Voluntary requests for call to active duty:

(1) Members of the Enlisted Reserve Corps, unassigned, may be called to active duty upon submission in writing of their formal request to the commanding general of the service command of residence.

(2) Members of the Air Corps Enlisted Reserve may be called to active duty upon their own request subject to the approval of the Commanding General, Army Air Forces.

h. Members of the Signal Corps Enlisted Reserve assigned to the Electronics Training Group, Office of the Chief Signal Officer, will be called to active duty at such time as they have completed the prescribed course of training at the institutions where they are receiving training. Students who fail to maintain satisfactory scholastic averages will be discharged from the Signal Corps Enlisted Reserve.

i. Women enlisted in the Women's Army Corps and transferred to the Enlisted Reserve Corps, unassigned, will be called to active duty consistent with the time specified on their orders and the needs of the service. This period will not exceed 30 days, except that in individual cases under exceptional circumstances when the commanding general of the service command of residence may grant a reasonable extension.

4. *Discharges.* *a.* Members of Enlisted Reserve Corps components may be discharged:

(1) By order of the President or the Secretary of War.

(2) Members of the Air Corps Enlisted Reserve may be discharged for reasons not included in (3) below by direction of the commanding general of a service command upon the recommendation of the Commanding General, Army Air Forces.

(3) By direction of the commanding general of a service command, or such officers who may be designated by him for that purpose:

(*a*) On account of physical disability. See paragraph (a) (2) (i) of § 64.13.

(*b*) Upon acceptance of a commission in the Armed Forces.

(*c*) Upon conviction and sentence by a civil court for the commission of a crime or crimes as enumerated in Army Regulations.

(*d*) Because of inaptness or failure to possess the required degree of adaptability for military service, or because of evidence of habits or traits of character which render retention in the service undesirable.

b. Members of National Guard units. Upon being relieved from active duty in the military service of the United States all individuals who were members of the National Guard of the United States ordered into the active military service will revert to their National Guard status.

5. In instances where this Circular 117 is in conflict with Army Regulations No. 150–5 and Part 64 of this chapter, the provisions of this circular will govern. All instructions on the Enlisted Reserve Corps issued previous to this circular and in conflict with same are rescinded.

(39 Stat. 195; 41 Stat. 780; 44 Stat. 705; 10 U.S.C. 421, 423–427) [Pars. 1, 2, 3, 4 and 7*b*, W.D. Circular 117, March 22, 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–4384; Filed, March 28, 1944; 4:35 p. m.]

Chapter VII—Personnel

PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

DECORATIONS

Paragraph (b) of § 78.1 (8 F.R. 15482) is amended as follows:

§ 78.1 *Decorations.* * * *

(b) *War Department decorations.* In order of precedence, except that the Oak-Leaf Cluster is issued in lieu of an additional medal, and its precedence is that of the medal it represents.

(1) Medal of Honor.
(2) Distinguished-Service Cross.
(3) Distinguished-Service Medal.
(4) Legion of Merit.
(5) Silver Star.
(6) Distinguished Flying Cross.
(7) Soldiers Medal.
(8) Bronze Star Medal.
(9) Air Medal.
(10) Purple Heart.
(11) Medal for Merit (State, War, and Navy Departments).
(12) Oak-Leaf Cluster.
(13) Good Conduct Medal and Clasps. See § 78.33–78.37.

(40 Stat. 870–872; 41 Stat. 398; 44 Stat. 789; 10 U.S.C. 1403, 1409, 1411, 1429) [Par. 2, AR 600–45, 22 September 1943, as amended by C1, March 9, 1944]

* * * * *

In § 78.2 paragraph (e) (2) and the last sentence of paragraph (h) (1) are amended and paragraph (k) is added, as follows (8 F.R. 15482):

§ 78.2 *To whom decorations awarded.* * * *

(e) *Silver Star.* * * *

(2) Those individuals who, prior to 7 December 1941, have been cited for gallantry in action in orders issued by the headquarters of a force commanded by a general officer, which citations do not warrant the award of the Medal of Honor or Distinguished-Service Cross, may make application for the Silver Star Medal to The Adjutant General, W. D., A. G. O. Form No. 0715 (Application for Silver Star), being used for this purpose.

* * * * *

(h) *Purple Heart.* (1) * * *

One award (the Purple Heart for the first wound, and Oak-Leaf Cluster thereafter) is authorized for each such wound, except that only one award is authorized for two or more wounds received at the same instant.

* * * * *

(k) *Bronze Star Medal.* (1) The Bronze Star Medal is awarded to any person who, while serving in any capacity in or with the Army of the United States, on or after 7 December 1941, distinguishes, or has distinguished, himself by heroic or meritorious achievement or service not involving participation in aerial flight, in connection with military operations against an enemy of the United States.

(2) The required achievement or service for award of the Bronze Star is less than that required for award of the Silver Star or the Legion of Merit, but must nevertheless be accomplished with

distinction. The Bronze Star may be awarded to recognize minor acts of heroism in actual combat or single acts of merit, or meritorious service either in sustained operational activities against an enemy or in direct support of such operations.

(40 Stat. 870–872, 41 Stat. 398, 44 Stat. 789; 10 U.S.C. 1403, 1409, 1411, 1429) [Pars. 13, 15½ and 16, AR 600–45, Sept. 22, 1943, as amended by C 1, Mar. 9, 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–4385; Filed, March 28, 1944; 4:35 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5121]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ROCKWELL WOOLEN CO.

§ 3.66 (a 7) *Misbranding or mislabeling—Composition—Wool Products Labeling Act:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Composition—Wool Products Labeling Act.* In connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce, misbranding yarns or other "wool products" as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain or in any way are represented as containing "wool", "reprocessed wool", or "reused wool", as defined in said act, by failing securely to affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited; subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of said Wool Products Labeling Act of 1939; and to the further proviso that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., sec. 68) [Cease and desist order, Rockwell Woolen Company, Docket 5121, March 20, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of March A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939;

It is ordered, That respondent, Rockwell Woolen Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding yarns or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said act by failing securely to affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; *And provided, further,* That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–4398; Filed, March 29, 1944; 11:32 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

AVAILABILITY TO PUBLIC OF CERTAIN INFORMATION

Amendment to rule governing documents filed by issuers and others under sections 12 and 13, and repeal of rule relating to publicatior of information filed under section 16.

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to the authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 16 (a), 23 (a) and 24 (b) thereof, hereby (1) repeals § 240.24b–4 (Rule X-24b–4) and (2) amends paragraph (a) of § 240.24b–3 (Rule X-24b–3) to read as follows:

§ 240.24b–3 *Documents filed by issuers and others under sections 12, 13, and 16.* (a) Except as otherwise provided in this section, each exchange shall keep available to the public, under reasonable regulations as to the manner of inspection, during reasonable office hours, all information regarding a security registered on such exchange which is filed with it pursuant to sections 12, 13, or 16, or any rules or regulations thereunder. This requirement shall not apply to any information to the disclosure of which objection has been filed pursuant to § 240.24b–2, which objection shall not have been overruled by the Commission pursuant to section 24 (b). The making of such information available pursuant to this section shall not be deemed a representation by any exchange as to the accuracy, completeness, or genuineness thereof.

Effective March 28, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–4362; Filed, March 28, 1944; 2:39 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter B—Estate and Gift Taxes

[T.D. 5351]

PART 81—REGULATIONS RELATING TO ESTATE TAX

MISCELLANEOUS AMENDMENTS

In order to conform Regulations 105 [Part 81, Title 26, Code of Federal Regulations, Cum. Supp.] to sections 501, 505 and 511 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 81.10 the following:

SEC. 501. VALUATION OF UNLISTED STOCK AND SECURITIES FOR ESTATE TAX PURPOSES. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

Section 811 (relating to gross estate) is amended (a) by striking out "(k)" at the beginning of subsection (k) and inserting in lieu thereof "(l)", and (b) by inserting after subsection (j) the following:

(k) *Valuation of unlisted stock and securities.* In the case of stock and securities of a corporation the value of which by reason of their not being listed on an exchange and by reason of the absence of sales thereof, cannot be determined with reference to bid and asked prices or with reference to sales prices, the value thereof shall be determined taking into consideration, in addition to all other factors, the value of stock or securities of corporations engaged in the same or a similar line of business which are listed on an exchange.

PAR. 2. Section 81.10 (c) is amended by inserting immediately after the first sentence of the sixth paragraph thereof the following sentences:

Among such other relevant factors to be considered are the values of securities of corporations engaged in the same or a similar line of business which are listed on an exchange. However, the weight to be accorded such comparisons or any other evidentiary factors considered in the determination of a value depends upon the facts of each case.

PAR. 3. There is inserted immediately after section 10 of the Current Tax Payment Act of 1943, which was inserted by Treasury Decision 5283, approved July 12, 1943, and preceding section 302 (f) of the Revenue Act of 1926 (as originally enacted), as set forth preceding § 81.24, the following:

SEC. 505. EXTENSION OF TIME IN CONNECTION WITH RELEASE OF POWERS OF APPOINTMENT. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

Section 403 (d) (3) of the Revenue Act of 1942 is amended by striking out "March 1, 1944" wherever it appears and inserting in lieu thereof "January 1, 1945" * * *

PAR. 4. Section 81.24 (b), added by Treasury Decision 5239, approved March 10, 1943, and as amended by Treasury Decision 5283, is further amended as follows:

(A) By striking out "February 29, 1944" wherever it appears and by inserting in lieu thereof "December 31, 1944".

(B) By striking from the first sentence of paragraph (3) "(as amended by section 10 of the Current Tax Payment Act of 1943)" and by inserting in lieu thereof "(as amended by section 505 of the Revenue Act of 1943)".

(C) By striking out "March 1, 1944" wherever it appears and by inserting in lieu thereof "January 1, 1945".

PAR. 5. There is inserted immediately after section 401 of the Revenue Act of 1942, which was inserted by Treasury Decision 5239, and preceding § 81.44, the following:

SEC. 511. DEDUCTION FOR DISCLAIMED LEGACIES PASSING TO CHARITIES. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

(a) *Deduction in case of citizens and residents.* The first sentence of section 812 (d) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "if the disclaimer is made prior to the date prescribed for the filing of the estate tax return" the following: "or, in the case of a decedent dying on or before October 21, 1942, if the disclaimer is made prior to September 1, 1944".

* * * * *

(c) *Estates with respect to which amendments applicable.* The amendments made by this section shall be applicable to estates of decedents dying after February 10, 1939.

PAR. 6. Section 81.44 is amended by striking out the first two sentences of the second paragraph, added by Treasury Decision 5239, and by inserting in lieu thereof the following sentences:

The amount of the bequest, legacy, devise, or transfer, for which a deduction is allowable under the provisions of this section, includes the interest which falls into any such bequest, legacy, devise, or transfer, as a result of an irrevocable disclaimer of a bequest, legacy, devise, transfer, or power, if the disclaimer is made (1) prior to September 1, 1944, in the case of a decedent dying on or before October 21, 1942, the date of the enactment of the Revenue Act of 1942, or (2) prior to the date prescribed for the filing of the estate tax return in the case of a decedent dying after October 21, 1942. The disclaimer must not only be made (1) prior to September 1, 1944, in the case of a decedent dying on or before October 21, 1942, or (2) prior to the date prescribed for the filing of the estate tax return (including such date as may be prescribed in an extension of time granted for the filing of such return) in the case of a decedent dying after October 21, 1942, but must be irrevocable at the time the deduction is allowed.

PAR. 7. There is inserted immediately after section 401 of the Revenue Act of 1942, which was inserted by Treasury Decision 5239, and preceding § 81.51, the following:

SEC. 511. DEDUCTION FOR DISCLAIMED LEGACIES PASSING TO CHARITIES. (Revenue Act of 1943, Title V, enacted February 25, 1944.)

* * * * *

(b) *Deduction in case of nonresidents not citizens.* The first sentence of section 861 (a) (3) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "if the disclaimer is made prior to the date prescribed for the filing of the estate tax return" the following: "or, in the case of a decedent dying on or before October 21, 1942, if the disclaimer is made prior to September 1, 1944".

(c) *Estates with respect to which amendments applicable.* The amendments made by this section shall be applicable to estates of decedents dying after February 10, 1939.

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467, 26 U.S.C. 3791) and secs. 501, 505 and 511 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: March 27, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-4342; Filed, March 28, 1944; 11:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-506, Stay of Execution]

SINGER STEEL COMPANY

Albert Singer, doing business as Singer Steel Company of Cleveland, Ohio, has appealed to the Chief Compliance Commissioner from the provisions of Suspension Order S-506 and has represented that its business would be irreparably impaired by the suspension order, and that a stay of the suspension order would permit it to complete necessary deliveries to manufacturers of essential materials. In order to prevent interference with essential deliveries and pending determination of the appeal, the Chief Compliance Commissioner has directed that Suspension Order S-506 be stayed. *It is hereby ordered,* That:

The provisions of § 1010.506 *Suspension Order S-506* are hereby stayed.

Issued this 28th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-4382; Filed, March 28, 1944; 4:28 p. m.]

PART 3037—ELECTRONIC EQUIPMENT

[General Limitation Order L-183-a, Interpretation 1]

RELATION OF THE PRECEDENCE LIST TO SCHEDULING

The following interpretation is issued with respect to General Limitation Order L-183-a:

This is an official interpretation of § 3037.2, *General Limitation Order L-183-a.* It is issued to answer two questions which have frequently arisen with respect to this order, but it does not represent any change in the scope and operation of the order. It simply clarifies the meaning and intent of this order

and its relation to General Scheduling Order M–293.

(1) Some persons have asked whether electronic components, such as resistors and capacitors, are subject to the order when they are purchased for use in such things as fire control devices, battle-announce systems and airframes which are assigned relative urgencies by the Precedence List. The answer is "yes"—Limitation Order L–183–a is intended to apply and does apply to the scheduling of those components when Precedence List designations are extended to them.

(2) Questions have often been asked as to the relation of Limitation Order L–183–a to General Scheduling Order M–293. Shipping schedules for products listed under Order M–293, when frozen by the War Production Board under Order M–293, are subject to change only in the manner provided in Order M–293, and Priorities Regulation 18. This means that preference ratings, reratings and Precedence List designations received during the frozen schedule period cannot change the frozen schedule. Such ratings, reratings and Precedence List designations may, however, serve as a guide and justification for the issuance of a schedule change by the industry division of the War Production Board responsible for that schedule. Once a shipping schedule is frozen under Order M–293, therefore, there is nothing in Order L–183–a which can change that schedule. The insurance of the flexibility necessary to fulfill changing strategic needs lies in the authority of the industry division to "unfreeze" or issue changes in such a frozen schedule on the basis of Precedence List urgencies or other considerations.

The relative urgencies established by the Precedence List as indicated by Precedence List designations still remain the basic guide, however, for the initial scheduling of electronic equipment and components. Order M–293 in no sense relieves manufacturers of complying with the provisions of Order L–183–a prior to the time a schedule has actually become frozen under Order M–293. Only after a schedule has been frozen under Order M–293 does Order L–183–a become inoperative, and then only as to the frozen schedule. In preparing a product schedule for filing under Order M–293 a manufacturer should arrange the sequence of shipments on that schedule according to the Precedence List in the manner prescribed by Order L–183–a, to whatever extent Precedence List information is available. In doing so, however, he must not disturb the sequence of any shipping dates already frozen in his schedule under Order M–293.

The impression has appeared from time to time that a rated order for electronic equipment or components which does not bear a Precedence List designation may be rejected. That is incorrect—the absence of a Precedence List designation does not provide a reason for rejecting a rated order. Another erroneous impression which should be corrected is that all orders without Precedence List designations are inferior to orders with equal preference ratings and Precedence List designations. An AA–1 order without Precedence List designation is not inferior to an AA–1 order with Precedence List designation. The position of an order without Precedence must never be displaced by an order with Precedence simply because the latter bears Precedence. The positions of orders with and orders without Precedence List designation, where they bear the same preference rating, are established in relation to each other according to the dates they were received, as provided in Priorities Regulation No. 1 (especially § 944.7).

Scheduling according to the Precedence List sequence takes place only among those orders which bear Precedence List designations and the same preference rating. For example, orders rated AAA and carrying Precedence may be scheduled in relation to each other according to Precedence, and orders rated AA–1 carrying Precedence may be scheduled in relation to each other according to Precedence. It is clear, therefore, that Precedence never results in lower rated orders being scheduled ahead of higher rated orders.

(3) Priorities Regulation 1 now provides in part (§ 944.2 (a)) that: "A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted * * *". In applying that rule to purchase orders with Precedence List designations, the Precedence List designations must be considered as well as the ratings. For example, a purchase order rated AA–1 with a Precedence of A–10 calling for delivery in May may be accepted even though it will interfere with May deliveries on previous AA–1 purchase orders with lower Precedences (e. g., A–20, B–5, C–10, etc.). It must not be accepted, however, if May delivery cannot be made without interference with AAA orders or AA–1 orders with Precedence of A–10 or higher (e. g., A–1, A–2, etc.). Furthermore, it must not be accepted if May delivery cannot be made without interference with May deliveries on previous AAA orders or AA–1 orders which have no Precedence List designation.

Issued this 29th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4400; Filed, March 29, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–227–b as Amended Mar. 29, 1944]

WOOD CASED AND OTHER NON-MECHANICAL PENCILS AND PEN HOLDERS

§ 3291.212 *General Limitation Order L–227–b*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted pencil" means any wood cased pencil or other writing instrument containing a nonmovable core of lead or other marking material encased in a sheath of wood, paper, or other material which sheath has a thickness greater than .010 of an inch.

(2) "Pen holder" means an instrument designed to hold a pen nib in position for writing, except fountain pens as defined in Order L–227.

(3) "Manufacturer" means any person who manufactures or assembles restricted pencils or pen holders.

(b) *Specifications for restricted pencils and pen holders.* No manufacturer shall use in the manufacture of restricted pencils or pen holders any:

(1) Copper or copper base alloy;

(2) Crude, reclaimed or synthetic rubber except as permitted in Rubber Order R–1, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(c) *Limitation on production of restricted pencils and pen holders.* (1) From July 1, 1943, through September 30, 1943, no manufacturer shall produce more than:

(i) 22% of the number of restricted pencils produced by him during 1941;

(ii) 31¼% of the number of pen holders produced by him during 1941.

(2) During the calendar quarter beginning October 1, 1943, and during each calendar quarter after that, no manufacturer shall produce more than:

(i) 20¼% of the number of restricted pencils produced by him during 1941;

(ii) 24% of the number of pen holders produced by him during 1941.

(d) *Reports.* Every manufacturer producing any restricted pencils and pen holders shall file with the War Production Board, Washington 25, D. C., Ref: L–227–b, Form WPB–1600 (formerly PD–655) on or before the 15th days of October, January, April and July, executed in accordance with the instructions for filing that Form.

(e) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of restricted pencils and pen holders, inventories of raw materials, semi-processed materials, or finished parts in quantities greater than the minimum amount necessary to maintain production at the rates permitted by this order.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order should be filed on Form WPB–1477 (formerly PD–500).

(h) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of restricted pencils and pen holders to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–227–b.

Issued this 29th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–4399; Filed, March 29, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[1] Amdt. 17]

ADJUSTMENTS AND OTHER DETERMINATIONS

The first unnumbered paragraph of section 5 of the Rent Regulation for

[1] 9 F.R. 2165, 2290.

Hotels and Rooming Houses is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on the maximum rent date the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided, further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on the maximum rent date.

This amendment shall become effective March 29, 1944.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4348; Filed, March 28, 1944; 11:52 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses, N. Y. C.,[1] Amdt. 7]

ADJUSTMENTS AND OTHER DETERMINATIONS

The first unnumbered paragraph in section 5 of the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

Except in cases under paragraphs (a) (7), (c) (4) and (c) (5) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1943: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1943 the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided, further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since March 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on September 30, 1943.

In cases under paragraph (c) (5) of this section the adjustment shall be on the basis of the average rent during the period of occupancy of the lease or other rental agreement in effect on the date determining the maximum rent.

This amendment shall become effective March 29, 1944.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4350; Filed, March 28, 1944; 11:52 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses, Miami,[1] Amdt. 2]

ADJUSTMENTS AND OTHER DETERMINATIONS

The first unnumbered paragraph of Section 5 of the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on September 1, 1943: *Provided, however,* That no maximum rent shall be increased because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on September 1, 1943, the difference in the rental value of the accommodations by reason of such improvement or increase: *And provided further,* That no adjustment shall be ordered because of a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, where it appears that the rent during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since September 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on September 1, 1943.

This amendment shall become effective March 29, 1944.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4351; Filed, March 28, 1944; 11:53 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Amdt. 20]

PRIORITY-CONSTRUCTED HOUSING, ETC.

Rent Regulation for Housing is amended in the following respects:

1. Section 4 (f) is amended to read as follows:

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof prior to the first renting of such accommodations, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the first renting of the accommodations, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, be-

[1] 8 F.R. 13910, 14617, 14814, 15581, 16219, 16893; 9 F.R. 2086.

[1] 8 F.R. 14043, 16033.

[1] 8 F.R. 14663, 14815, 15585, 16032, 16208, 16427, 17297; 9 F.R. 206, 972, 2176, 2289.

cause of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved. The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941. The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. The first unnumbered paragraph of section 5 is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

3. Section 5 (a) (10) is added to read as follows:

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the first renting of such housing accommodations, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective March 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4353; Filed, March 28, 1944; 11:58 a. m.]

PART 1388—DEFENSE RENTAL AREAS

[Rent Reg. for Housing, Miami,[1] Amdt. 3]

PRIORITY-CONSTRUCTED HOUSING, ETC.

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. Section 4 (c) is amended to read as follows:

(c) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof prior to the first renting of such accommodations, the rent so approved, but in no event more than the rent on September 1, 1943, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the first renting of the accommodations, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved. The provisions of this paragraph (c) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941. The provisions of this paragraph (c) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. The fifth unnumbered paragraph of section 5 is amended to read as follows:

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the Defense-Rental Area since September 1, 1943.

3. Section 5 (a) (9) is added to read as follows:

(9) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (c), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the first renting of such housing accommodations, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on September 1, 1943, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since September 1, 1943.

This paragraph (a) (9) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective March 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4349; Filed, March 28, 1944; 11:52 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing, N. Y. C.,[1] Amdt. 6]

PRIORITY-CONSTRUCTED HOUSING, ETC.

Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

[1] 8 F.R. 13118, 14047, 16033,

[1] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087.

1. Section 4 (f) is amended to read as follows:

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof prior to the first renting of such accommodations, the rent so approved, but in no event more than the rent on March 1, 1943, or, if the accommodations were not rented on that date more than the first rent after that date: *Provided, however,* That if, prior to the first renting of the accommodations the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved. The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941. The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

2. The first unnumbered paragraph of section 5 is amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1943, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases except those under paragraphs (a) (7), (c) (6), and (c) (8) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since March 1, 1943.

In cases under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on September 30, 1943.

In cases under paragraph (c) (8) of this section the adjustment shall be on the basis of the average rent during the period of occupancy of the lease or other rental agreement in effect on the date determining the maximum rent.

3. Section 5 (a) (10) is added to read as follows:

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the first renting of such housing accommodations, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable accommodations on March 1, 1943, giving due consideration to general increases in costs of construction, if any, in the Defense-Rental Area since March 1, 1943.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

This amendment shall become effective March 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 28th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4352; Filed, March 28, 1944; 11:58 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[RMPR 169,[1] Amdt. 39]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1364.405 (d) is amended to read as follows:

(d) Upon the petition of any person or upon his own motion, the Administrator may, by order, authorize the sale or delivery to a War Procurement Agency, of any meat item subject to this revised regulation, where it is found: (1) that an inventory of meat items has been accumulated (showing each item and the total volume in pounds), which items were prepared pursuant to a contract, agreement or at the request of a War Procurement Agency on the basis of specifications issued by the Office of Price Administration or by a War Procurement Agency and adopted by the Office of Price Administration; (2) that by reason of a change in specifications or the provisions of this revised regulation, the sale or delivery of the accumulated inventory is prohibited; and (3) that a War Procurement Agency indicates in writing that it is essential for it to obtain such accumulated inventory (showing the items and total inventory in pounds required).

Upon proof of the foregoing, the Administrator shall authorize the applicant to sell or deliver such accumulated inventory or portion thereof, to the designated War Procurement Agency at a maximum price or prices in line with appropriate prices established for sales of beef and veal, and may require delivery within a time specified by the Administrator. Any person authorized to make sales or deliveries pursuant to this paragraph (d) shall submit a copy of the authorization issued hereunder with the invoice submitted for payment.

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 756; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4370; Filed, March 28, 1944; 4:09 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Amdt. 15]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 364 is amended in the following respects:

1. The text of section 3 (f) is redesignated section 3 (f) (1), its headnote is changed to read *"Sales to government*

[1] 9 F.R. 1121, 2023, 2135.

[1] 8 F.R. 4640, 5566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16998; 9 F.R. 183, 946, 2023.

agencies" and subparagraph (2) is added to read as follows:

(2) *Sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species).* The maximum price for sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species) to any government agency is 21½ cents per pound. This price is f. o. b. the shipping point for dressed smelts packed in a container of the customary size and kind meeting specifications of the buying government agency. No transportation, container or other charge may be added to this maximum price. This item may be sold only to government agencies.

2. Section 12 is amended by inserting after the definition of "Frozen fish" the following definition:

"Government agency" means the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government.

3. In the table of base prices in section 14, the name of Schedule No. 60 is amended and reference to footnote 9 is added thereto to read as follows:

Smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species)[9]

4. Footnote 9 is added at the end of the table of prices in section 14 to read as follows:

[9] The processor shall deduct 3½ cents from the base price if he does not either wash and repack the smelts in layers or wash and individually freeze the smelts.

This amendment shall become effective March 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4371; Filed, March 28, 1944; 4:09 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 150,[1] Amdt. 5]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 150 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Applicability.* (a) Except as provided in paragraph (b) of this section, this regulation shall apply to all sales of domestic and imported finished rice whether for immediate or future delivery within the 48 states and the District of Columbia of the United States.

(b) This regulation shall have no application to any finished rice purchased by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

2. Section 3 (b) (6) is hereby redesignated section 3 (b) (7) and a new section 3 (b) (6) is hereby added to read as follows:

(6) The practice known as "toll milling" or "custom milling", by which a producer, distributor (other than a processor) or other person arranges to have his rough rice processed by a mill and to pay a fee for the processing, shall be and it hereby is prohibited as a device used for the purpose of avoiding the provisions of this regulation, and is permitted only when the following provisions are complied with:

(i) The owner of the rough rice must retain title during the processing.

(ii) The owner of the rough rice must assume all risks of loss due to breakage or other damage during the processing, except for such loss as is occasioned by the misconduct or neglect of the processor for which the processor would be legally liable.

(iii) The owner shall not purchase the rough rice from the processor performing the toll milling service, nor shall he sell the processed product or by-products to the processor.

(iv) The processor shall not negotiate the purchase of the rough rice nor the sale of the processed rice for the owner, nor act as agent of the owner in any such transaction, nor receive any fee or commission in connection with the purchase or sale of the product.

(v) The processor shall return to the owner all of the identical processed rice and by-products yielded by the rough rice processed for the owner and shall not substitute other rice or by-products on a quantity equivalent or other basis.

This amendment shall become effective April 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4402; Filed, March 29, 1944; 11:38 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,[1] Amdt. 6]

EXTRACTED HONEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 275 is amended in the following respects:

1. Section 1351.1313 is amended to read as follows:

§ 1351.1313 *Records and reports.* Every person, covered by this regulation, who sells "packaged honey" at the prices determined pursuant to § 1351.1319 (c), shall preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all of his existing records which were the basis for the computation required in order to determine prices under that section.

2. A new § 1351.1319 (e) is added to read as follows:

(e) *Filing of Forms 1–A, 1–B, and 1–C.* A seller shall not sell or deliver any item of "packaged honey" at prices determined pursuant to paragraph (c) of § 1351.1319 unless and until he has obtained from and filed with the Sugar Section, Food Price Division, Office of Price Administration, Washington, D. C., one copy of Forms Nos. 1–A, 1–B, and 1–C. These forms, when executed, shall be sent to the Office of Price Administration, Washington, D. C., and shall be deemed filed on the second day following the date on which they are mailed.

(1) If the Office of Price Administration finds that the prices reported in Forms Nos. 1–A, 1–B, and 1–C, are higher than those allowed by § 1351.1319 (c) or it finds that the forms have been improperly executed, or omit required information necessary to determine whether the prices reported therein are in excess of those allowed by § 1351.1319 (c), the Office of Price Administration may at any time by letter or telegram object to prices thus reported. A seller, after receiving such letter or telegram, shall not sell or deliver any item, the prices of which have been objected to, at prices higher than those set forth in § 1351.1319 (b) until he has resubmitted Forms Nos. 1–A, 1–B, and 1–C and received from the Office of Price Administration a letter notifying him that the prices thus resubmitted are correct.

3. Section 1351.1319 (f) is amended to read as follows:

(f) *Delivered prices.* The prices which a seller determines pursuant to § 1351.1319 (c) or § 1351.1319 (f) are all f. o. b. packing plant. Except as provided below, the delivered price to a purchaser shall not exceed the f. o. b. price to that purchaser plus actual freight charges incurred from the packing plant to that purchaser's receiving point.

(1) A seller who wishes to establish a uniform maximum delivered price for an item of packaged honey to a particular class of purchasers in a particular zone or area may do so by adding to his f. o. b. packing plant price to that class of purchasers his "weighted average transportation charges" from his packing plant to that class of purchasers' receiving points. For any zone or area this "weighted average transportation

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4788, 10758, 12873, 14076, 15322.

[1] 7 F.R. 9955; 8 F.R. 542, 1228, 2337, 3947, 8502, 9218.

charge" shall be figured by him as follows: he shall (i) determine the total estimated transportation charges which would have been incurred if the shipments of the item which he made during the one-year period immediately preceding the date of calculation, to the particular class of purchasers in that zone or area, had been at rates in effect on the date of calculation, and (ii) divide that figure by the total number of pounds or other units of the items included in those shipments. Where more than one means of transportation is used averages shall be taken separately for each.

(2) Any seller covered by this regulation who sells "packaged honey" directly to a retailer from a branch warehouse owned or controlled by the seller and located in a city other than that in which the seller's packing plant is located, may establish maximum delivered prices for such sales determined by adding together the following:

(i) His maximum price for sales of the item to wholesalers f. o. b. packing plant.

(ii) The freight, if any, incurred on the item from the packing plant to branch warehouse; or if he has more than one branch warehouse in a particular zone or area and wishes to sell the item at a uniform price within the zone or area within which the branch warehouses are located, the "weighted average transportation charges" from the packing plant to the warehouses within the particular zone or area. "Weighted average transportation charges" shall be figured in accordance with the method set forth in subparagraph (1) above.

(iii) The sum obtained by multiplying the markup figure appropriate to the particular sale which would have been applicable to him as a "wholesaler" operating under MPR 421 had he purchased the finished product and not bottled or packed it, by the total of (i) and (ii); plus such additional transportation charges which a wholesaler would be permitted to add by Maximum Price Regulation 421.

4. A new § 1351.1319 (i) is added to read as follows:

(i) *Notification of new maximum prices.* In any case where a seller's maximum price for an item of "packaged honey" is different from the price which he had for such item prior to April 4, 1944, he shall, with the first delivery of the item after April 3, 1944, supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

The Office of Price Administration has authorized us to adjust our ceiling price for packaged honey. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under the Office of Price Administration Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you after April 3, 1944, from your customary type of supplier accompanied by this notification. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the sixty-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment instead of providing it with the goods.

This amendment shall become effective April 4, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

Approved: March 21, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-4405; Filed, March 29, 1944; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 346,[1] Correction]

CORN

In section 20 (e) in the list of counties under Alabama, the word "Walter" is changed to read "Walker".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4401; Filed, March 29, 1944; 11:38 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 472,[2] Amdt. 1]

CERTAIN ESSENTIAL OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 472 is amended in the following respects:

1. Section 1 (b) is added to read as follows:

(b) *Transactions excluded from this regulation.* This regulation does not apply to sales at retail, that is, sales to ultimate consumers other than industrial or commercial users.

2. Section 7 (b) is revoked and paragraph (c) of section 7 is redesignated "(b)."

3. Section 11 (a) (6) is amended to read as follows:

(6) "Dealer" means:

(i) In the case of natural oil of peppermint and natural oil of spearmint, a person who customarily is in the business of selling these essential oils, other than such oils distilled from plants grown by him or distilled by him from plants grown by others. As used here, the word "dealer" does not, however, include drug wholesalers.

(ii) In the case of U. S. P. redistilled oil of peppermint, a person other than a drug wholesaler who sells oil of peppermint U. S. P.

(iii) In the case of premium grades of U. S. P. redistilled oil of peppermint, a person other than a drug wholesaler who sells these premium grades.

4. Section 11 (a) (7) is added to read as follows:

(7) "Drug wholesaler" means a person who sells the essential oils covered by this regulation principally to retail druggists.

5. Section 11 (a) (8) is added to read as follows:

(8) "Premium grade of U. S. P. redistilled oil of peppermint" means a U. S. P. redistilled oil of peppermint which has been further treated by fractional distillation to yield a grade of oil which is deemed to have more desirable organoleptic properties than the usual grade of U. S. P. redistilled oil of peppermint and is produced by a person who produced such grade prior to July 1, 1943.

6. Appendix A is amended to read as follows:

APPENDIX A—MAXIMUM PRICES FOR NATURAL OILS OF PEPPERMINT AND SPEARMINT AND U. S. P. REDISTILLED OIL OF PEPPERMINT

(a) *Sales by producers.* The maximum prices for sales by producers of natural oils of peppermint and spearmint in any quantity and any container, f. o. b. producer's shipping point, shall be:

	Per pound
Natural oil of peppermint	$7.00
Natural oil of spearmint	3.50

A buyer purchasing the natural oils of peppermint or spearmint from a producer through a broker or other agent acting for him may, in addition to the above maximum prices, pay such broker or agent a buying commission no higher than the customary commission paid by such buyer during the calendar year of 1942. If the buyer paid no such commission during that period, then the commission shall be no higher than the customary commission paid by like buyers for like services on such a purchase during the calendar year 1942. But in no case shall the commission be more than 10 cents per pound.

(b) *Sales by dealers.* (1) The maximum prices for sales by dealers of the natural oils of peppermint and spearmint and U. S. P. redistilled oil of peppermint shall be:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 17512; 9 F.R. 2021.

[2] 8 F.R. 13126.

	Per pound, in drums of at least 400 lbs. capacity
Natural oil of peppermint	$7.50
Natural oil of spearmint	4.00
U. S. P. redistilled oil of peppermint	8.05

Each dealer shall apply to the maximum prices for sales in drums for each essential oil listed above the same discounts, credit terms, dollar and cent packaging price differentials, practices relating to the payment of freight charges and other transportation costs and other practices which were in effect during the calendar year 1942 on sales by the dealer of the particular essential oil.

Where the dealer did not make sales in drums during the calendar year 1942, the dollar and cent packaging price differential per pound for any particular essential oil in any particular package in any quantity to any class of purchasers shall be determined as follows: From the maximum price per pound as determined under the General Maximum Price Regulation for that essential oil in that package in the same quantity and to the same class of purchasers, subtract the applicable one of the following prices per pound:

In the case of natural oil of spearmint	$3.50
In the case of natural oil of peppermint	5.50
In the case of U. S. P. redistilled oil of peppermint	5.75

(2) The maximum price for sales by a dealer of a premium grade of U. S. P. redistilled oil of peppermint in any quantity and any packaging shall be $8.05 per pound plus the dollar and cent differential per pound that the dealer had on July 1, 1943 between his maximum prices per pound in the same quantity and packaging to the same class of purchaser for that premium grade of U. S. P. redistilled oil of peppermint and for his lowest grade of U. S. P. redistilled oil of peppermint.

(3) Dealers in the natural oils of peppermint, spearmint and U. S. P. redistilled oil of peppermint may, at their option, establish as their maximum prices those prices therefor determined pursuant to the provisions of the General Maximum Price Regulation.

(c) *Sales by producer-dealers.* Where a person is a dealer and sells not only oils produced by others but also oils produced by himself, the maximum prices established in paragraph (a) above for producers shall apply to his sales of the natural oils of peppermint and spearmint that he produces himself. The maximum prices established in paragraph (b) above for dealers shall apply to his sales of the oils produced by others.

(d) *Sales by drug wholesalers.* The maximum prices for sales by a drug wholesaler of the natural oils of peppermint and spearmint and U. S. P. redistilled oil of peppermint shall be the maximum prices as determined under the General Maximum Price Regulation, except that in the case of the natural and U. S. P. redistilled oils of peppermint there may be added to the maximum price per pound determined under the General Maximum Price Regulation an amount not in excess of $1.60 per pound.

This amendment shall become effective April 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4403; Filed, March 29, 1944; 11:38 a. m.]

No. 64——3

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as Amended, Corr. to Supp. Service Reg. 26 [1]]

BUNKER FUEL SOLD TO FOREIGN STEAMSHIP VESSELS

Section 1499.2257 is corrected by inserting the words "bituminous coal sold for direct use as" after the words "maximum price which suppliers of" and before the words "bunker fuel."

This correction to Supplementary Service Regulation No. 26 (§ 1499.2257) to Maximum Price Regulation No. 165 shall become effective March 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4406; Filed, March 29, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 111]

CORN STARCH AND DEXTRINE PRODUCTS IN BULK

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 6.41 (a) (2) is amended to read as follows:

(2) $0.62 per hundredweight in the case of any type or grade of corn starch or dextrine product in bulk with an average March 1942 moisture content between and including 11½ percent and 14 percent. In the case of any type or grade of corn starch or dextrine product in bulk which had a March 1942 average moisture content below 11½ percent or above 14 percent the maximum selling price for that product shall be computed by adjusting the figure $0.62 on the basis of dry starch of 11½ percent moisture content. In the case of products not wholly corn starch or dextrine the figure $0.62 shall be adjusted by multiplying it by the percentage (by weight) of the corn starch of dextrine contained therein, also on the basis of dry starch of 11½ percent moisture content.

This amendment shall become effective April 4, 1944.

(56 Stat. 23,756; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 29th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-4404; Filed, March 29, 1944; 11:38 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 947.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—ADJUDICATION: VETERANS CLAIMS

DISALLOWANCE AND AWARDS

Section 3.1257 is amended in the following respect:

§ 3.1257 *Notice of reduction to institution.* [Canceled March 31, 1944.]

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 44-4374; Filed, March 28, 1944; 4:17 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1570]

PART 160—GRAZING LEASES

RENTAL CHARGE

The regulations authorizing the issuance of grazing leases contained in Part 160 are amended as follows:

Section 160.23 is amended by adding the following sentence at the end thereof: "In no lease, however, will the rental charge be fixed at less than $1.00 per annum."

FRED W. JOHNSON,
Commissioner.

Approved: March 21, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-4389; Filed, March 29, 1944; 10:09 a. m.]

[Public Land Order 213]

WYOMING

RESERVING ADDITIONAL PUBLIC LANDS IN CONNECTION WITH THE GREYS RIVER ELK WINTER PASTURE AND FEED GROUND

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Lincoln County, Wyoming, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws and the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Game and Fish Commission of the State of Wyoming in addition to the lands reserved by Public Land Order No. 155 of August 4, 1942, in connection with the Greys River Elk Winter Pasture and Feed Ground, under such conditions as may be prescribed by the Secretary of the Interior:

SIXTH PRINCIPAL MERIDIAN

T. 36 N., R. 119 W.,
Sec. 2, lots 1, 2, 3, and 4, S½NE¼, and E½SE¼;
Sec. 3, lot 1;
Sec. 11, NE¼ and N½SE¼.
The areas described aggregate 647.31 acres.

The reservation made by this order supersedes, as to the above-described lands, the general withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

MARCH 10, 1944.

[F. R. Doc. 44-4390; Filed, March 29, 1944; 10:09 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 4]

YAKIMA PROJECT, WASH.; ROZA DIVISION

ANNOUNCEMENT OF ANNUAL WATER RENTAL CHARGES [1]

MARCH 17, 1944.

1. Whereas, I have determined that it is factually impossible, in view of provision for construction of distribution works by the United States under the contract with the Roza Irrigation District dated December 13, 1935, to make water available for diversion by said District for irrigation use as contemplated in article 16 of the contract of July 8, 1921, as amended by the contract with the said District dated April 15, 1935; and

2. Whereas, it is factually impossible to promulgate during the year 1944, any of the public notices of construction charges contemplated in article 12 of said contract dated December 13, 1935, because construction work contemplated by said contract is not sufficiently advanced; therefore

3. Announcement is hereby made, pursuant to article 31 of the contract dated December 13, 1935, that water may be furnished, if and when available, during the irrigation season of 1944 (from April 1 to October 31, inclusive) for the irrigation of Roza Irrigation District lands, hereinafter described, upon a water rental basis, at rates and upon terms following:

(a) For privately owned lands under the Yakima Ridge Canal in the following sections:

Sections 1, 11, 12, 13, and 14, T. 12 N., R. 19 E., Willamette meridian;
Sections 16, 22, 23, 25, 26, and 36, T. 13 N., R. 19 E., Willamette meridian;
Sections 17, 20, 29, and 32, T. 14 N., R. 19 E., Willamette meridian;
Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 24, and 25, T. 11 N., R. 20 E., Willamette meridian;
Sections 4, 5, 6, 7, 8, 9, 17, 18, 28, 29, 30, 31, 32, 33, and 34, T. 12 N., R. 20 E., Willamette meridian;
Sections 30, 31, and 32, T. 13 N., R. 20 E., Willamette meridian;
Sections 1, 2, 3, and 4, T. 10 N., R. 21 E., Willamette meridian;
Sections 7, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, and 36, T. 11 N., R. 21 E., Willamette meridian;
Sections 1, 2, 3, 4, 5, 6, 11, and 12, T. 10 N., R. 22 E., Willamette meridian;
Sections 29, 30, 31, 32, 33, 34, 35, and 36, T. 11 N., R. 22 E., Willamette meridian;
Sections 5, 6, 7, 8, 17, 18, 19, and 20, T. 10 N., R. 23 E., Willamette meridian;
Section 31, T. 11 N., R. 23 E., Willamette meridian.

(b) A minimum charge of one dollar and eighty cents ($1.80) per irrigable acre for each irrigable acre of the legal subdivision for which such service is requested for two (2) acre-feet per acre per annum, and payable by the District to the United States in advance of delivery of water. Additional water will be furnished at the following rates payable by the District in advance:

	Per acre-foot
Third acre-foot per acre	$1.35
Fourth acre-foot per acre	1.80
Fifth acre-foot per acre	2.25

4. Water will be delivered and measured at the tap or weir nearest to the individual farms.

5. The District will request water delivery for, and certify to the United States as entitled to receive water, only such lands as are owned or are held under contract of purchase by persons duly qualified to receive water under the terms of said Reclamation Act of June 17, 1902 (32 Stat., 388), and acts of Congress supplementary thereto or amendatory thereof, and who have duly complied with the requirements of the contract of December 13, 1935, between the United States and the Roza Irrigation District, including:

(a) The execution and delivery of the recordable contract as provided for in article 28 of said contract.

(b) The execution and delivery of an application for water service, as provided for in article 28 of said contract; and

(c) The execution and delivery of a valid recordable contract, in the case of ownership of excess land, as provided for in article 29 of said contract.

6. Applications for water on the basis of this announcement will be received at the office of the Secretary of the Roza Irrigation District at Zillah, Washington, and payments will be made to that office.

(Departmental Order No. 1903 of November 17, 1943 (Vol. 8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat., 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4391; Filed, March 29, 1944; 10:13 a. m.]

[No. 16]

OWYHEE IRRIGATION PROJECT, OREG.-IDAHO

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES [1]

MARCH 18, 1944.

1. Announcement is hereby made that water will be furnished during the irrigation season of 1944 (April to October, both inclusive) and thereafter until further notice, for the irrigation of project lands hereinafter described, upon a water rental basis at rates and upon terms following:

For lands in the Gem, Owyhee, Ontario-Nyssa, Advancement, Payette-Oregon Slope, Bench, Crystal, and Slide Irrigation Districts, the minimum rental charge for the irrigation season of 1944 and thereafter until further notice, for water delivered to or for the farms by Government forces, will be two dollars and forty cents ($2.40) per irrigable acre, payable by all landowners in advance of the delivery of any water, but not later than December 31st of each year, said payment to be made by each landowner for his total irrigable area. The said minimum charge of two dollars and forty cents ($2.40) per irrigable acre shall be payable whether water is used or not and will entitle the water user to three (3) acre-feet of water per irrigable acre for each irrigation season. Additional water will be furnished during each irrigation season at the rate of seventy-five cents ($0.75) per acre-foot, and shall be payable by each landowner to the district in which his land is situated on or before December 30th of each year. Charges for such excess water shall be payable by the districts to the United States on or before December 31st of each year: *Provided*, That, if the Gem and Ontario-Nyssa Irrigation Districts elect to continue operation of their pumping plants and old distribution systems at their own expense, the minimum charge for water delivered and measured, as provided in paragraph 4 hereof, to the Gem Irrigation District for the old land farms in that district and to the Ontario-Nyssa Irrigation District for the farms in that district, will be reduced to one dollar and twenty cents ($1.20) per irrigable acre, which reduced minimum charge will entitle the water user to three (3) acre-feet of water per irrigable acre and shall be payable in advance of the delivery of water but not later than December 31st of each year by each landowner for his total irrigable area, whether water is used or not. The charge for any water delivered under this proviso to such lands in the Gem and Ontario-Nyssa Irrigation Districts in excess of three (3) acre-feet per irrigable acre will be reduced to thirty-seven and one-half cents ($0.375) per acre-foot, which excess water charge shall be payable by the landowners to their districts on or before December 30th of each year and, in turn, by the districts to the United States on or before December 31st of each year, the measurement of water in each case to be made as provided in paragraph 4 hereof.

2. No distinction will be made between water pumped from the Snake River and water delivered from the Owyhee Reservoir.

3. Electric power used by the Government for pumping water delivered under this notice will be charged to the project as a whole and not to the particular districts for which water may be pumped.

4. Water will be delivered and measured by the Government forces at the nearest available measuring device to the individual farm, except that in the case of the Gem and Ontario-Nyssa Irrigation Districts, if these districts elect to continue operation of their pumping plants and old distribution systems at their own expense, the water delivered to or for the farms by the district forces will be measured by the Government at the pump outlets and at feeders from the Owyhee gravity canals and for the purpose of computing water rental charges under paragraph 1 hereof a reduction of fifteen per centum (15%) to cover losses in the

[1] Act of June 17, 1902, 32 Stat. 388, as amended and supplemented.

distribution system will be made on measurements of water at pump outlets and feeders for the old lands of the Gem District.

5. If the charges or any part thereof are unpaid on the date due there shall be added a penalty of one-half of one per centum of the amount unpaid, and there shall be added a like penalty of one-half of one per centum of the amount unpaid on the first day of each month thereafter so long as such default shall continue.

6. Individual landowners will make their application for water and the payments required by this public notice direct to their irrigation district office. Applications by the irrigation districts for water and payments by the districts to the United States on the basis of this public notice will be received at the office of the Assistant Regional Director, Bureau of Reclamation, Boise, Idaho.

(Departmental Order No. 1903 of November 17, 1943 (Vol. 8 F.R. 15872), issued under the Act of December 19, 1941), 55 Stat. 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4392; Filed, March 29, 1944; 10:13 a. m.]

[No. 40]

KLAMATH IRRIGATION PROJECT

PUBLIC NOTICE OF ANNUAL WATER CHARGES [1]

MARCH 23, 1944.

1. *Operation and maintenance charges.* The annual operation and maintenance charge for the irrigation season of 1944 against all lands of the Main division lying outside of the Klamath Irrigation District shall be a minimum charge of one dollar and eighty-eight cents ($1.88) per irrigable acre, whether water is used or not, which will entitle the water user to two and one-half (2½) acre-feet of water per irrigable acre. Additional water will be furnished at the rate of fifty cents ($0.50) per acre-foot.

2. The annual operation and maintenance charge for the irrigation season of 1944 against all lands under district or individual Warren Act contracts, shall be a minimum charge of ninety-four cents ($0.94) per irrigable acre, whether water is used or not. Pending the final adjustment of differences between certain Warren Act contractors and the Bureau arising out of charges for additional water, the charge of twenty-five cents ($0.25) per acre-foot for additional water, announced in prior notices, will not be made for this season.

3. *Water rental charges.* The annual water rental charge for the irrigation season of 1944 against all lands of the Tule Lake division lying outside of the Klamath Irrigation District and subject to Public Orders of January 22, 1927; March 30, 1928; February 6, 1929; September 10, 1930; October 16, 1931; and September 9, 1937; shall be a minimum charge of two dollars and twenty cents ($2.20) per irrigable acre, whether water is used or not, which will entitle the water users to two and one-half (2½) acre-feet of water per irrigable acre. Additional water will be furnished up to a limit of three and one-half (3½) acre-feet per irrigable acre at a rate of fifty cents ($0.50) per acre-foot and all further quantities for seventy-five cents ($0.75) per acre-foot.

4. For irrigation or waste water furnished Tule Lake leased lands the charge, unless otherwise specified in the leases, shall be seventy-five cents ($0.75) per acre-foot for the season of 1944.

5. For irrigation or waste water furnished private lands within the dry bed of or bordering Lower Klamath Lake, the charge shall be fifty cents ($0.50) per acre-foot for the season of 1944.

6. For water furnished lands not subject to the operation and maintenance or water rental charges named above the charges shall be eighty-five cents ($0.85) per acre-foot for the season of 1944.

7. *Time of payment.* For lands of the Tule Lake division under public notice or public order lying outside of the Klamath Irrigation District, the minimum charge of two dollars and twenty cents ($2.20) per irrigable acre stated above will be due and payable one-half before the delivery of water, if water is delivered before July 1, and one-half on or before July 1. If no water is delivered before July 1, then the entire charge shall become due and payable on that date. If the charge, or any part thereof, is unpaid on that date there will be added a penalty of one-half of one per centum (½%) and there will be added a like penalty of one-half of one per centum (½%) on the first day of each month thereafter so long as such default shall continue. Payment for water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the season in which used, and if not paid on or before said due date, there will be added a penalty of one-half of one per centum (½%) and there will be added a like penalty of one-half of one per centum (½%) on the first day of each month thereafter so long as such default shall continue.

8. For all other lands referred to herein the minimum charges announced shall be due and payable before the delivery of water and in any event not later than May 1 of the current irrigation season. Payment for water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the season in which used. On all payments not made on or before the due dates specified herein, there will be added a penalty of one-half of one percentum (½%) and there will be added a like penalty of one-half of one per centum (½%) on the first day of each month thereafter so long as such default shall continue.

9. Where water rental application is made for public land entered under the Reclamation Law after June 15 and where water rental application is made after August 1 for land in private ownership, no water rental charge shall be made for water delivered during the remainder of the irrigation season in which water rental application is made.

(Departmental Order No. 1903 of November 17, 1943 (Vol. 8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat. 842)

H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-4393; Filed, March 29, 1944; 10:13 a. m.]

[1] Act of June 17, 1902 (32 Stat. 388) as amended or supplemented.

General Land Office.

[Five-Acre Tract Classification 36]

NEW MEXICO

ORDER OPENING PUBLIC LAND

MARCH 22, 1944.

On October 22, 1943, the following-described public land in the Santa Fe, New Mexico, land district, was classified and opened by the Secretary of the Interior under the Five-Acre Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), for leasing as home and business sites.

NEW MEXICO No. 3

NEW MEXICO PRINCIPAL MERIDIAN

T. 1 N., R. 12 W., sec. 19, that part of the NE¼ lying north of U. S. Highway No. 60 94.12 acres.

This land is located adjacent to the present site of Pie Town, Catron County. It lies one mile west of the Cibola National Forest, about 25 miles east of Quemada, and about 60 miles west of Magdalena. U. S. Highway No. 60 passes the land along the south side.

The land described above will be leased under the act as home and/or business sites, only in tracts as shown upon the plat of subdivision of the NE¼ of the section, accepted February 7, 1944, which was prepared to provide a basis for definition of tracts and as an aid for leasing purposes under the classification. This plat will be on file in the Santa Fe district land office. Shown thereon are 42 tracts, with designations, the areas of the tracts ranging from 0.96 to 2.49 acres. Eight applications for tracts in the area have been received. These must be amended to describe tracts in accordance with the plat.

Based on the above-mentioned classification, the tracts not covered by applications are subject to application under the act of June 1, 1938, supra, by any qualified persons, in accordance with the regulations issued pursuant to the act, which are contained in Circular No. 1470 as amended.

Tracts Nos. 12, 23, and 24 will be leased only to the community, upon proper application. They will not be leased for individual use. No structures shall be erected or maintained upon these tracts without the approval of this office.

Leases will provide for ingress and egress. No buildings or signs shall be erected on the right-of-way for any constructed road or on areas described in leases for ingress and egress.

Lessees will be required to construct substantial improvements having a value of not less than $500. Leases will be for a period of 5 years, at an annual rental

of $3.00 per acre for home sites, payable in advance yearly. The rental for business sites will be in accordance with a schedule of graduated charges based on gross income.

The Register of the district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 44-4388; Filed, March 29, 1944; 10:09 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 813]

ALLOCATION OF FUNDS FOR LOANS

MARCH 4, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
Illinois 4033S6 Hancock	$10,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4367; Filed, March 28, 1944; 3:28 p. m.]

[A. O. 814]

ALLOCATION OF FUNDS FOR LOANS

MARCH 18, 1944.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Indiana 4089B2 Harrison	$20,000
Iowa 4009K4 Scott	75,000
Iowa 4030C2 Franklin	40,000
Iowa 4038D4 Pocahontas	35,000
Iowa 4061C2 Cherokee	50,000
Iowa 4070B2 Osceola	50,000
Louisiana 4010D1 Washington	50,000
Minnesota 4004B2 Lake	10,000
Minnesota 4053D4 Waseca	75,000
Minnesota 4056C2 Crow Wing	20,000
Minnesota 4074B4 Norman	50,000
Missouri 4050B2 Lafayette	20,000
Nebraska 4056C3 Cedar-Knox District Public	30,000
Texas 4062B2 Bailey	30,000
Texas 4084C2 Hall	30,000
Wisconsin 4046D2 Lafayette	50,000
Wisconsin 4060A3 Waushara*	65,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-4368; Filed, March 28, 1944; 3:28 p. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

DETERMINATION OF PREVAILING MINIMUM WAGE IN DIMENSION GRANITE INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Dimension Granite Industry issued by the Secretary of Labor on December 22, 1937, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture and supply of dimension granite, including monumental stone, building stone, paving blocks, curbing, riprap, and rubble, but not crushed stone is as follows:

(1) In Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York: 57.5 cents per hour or $23 per week, based on a 40-hour week, arrived at either on a time or piece-work basis;

(2) In Pennsylvania, Maryland, Wisconsin, Minnesota, South Dakota and all other States not included in paragraph (1) above or paragraph (3) below: 42.5 cents per hour or $17 per week based on a 40-hour week arrived at either on a time or piece-work basis;

(3) In North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas: 32.5 cents per hour or $13 per week based on a 40-hour week arrived at either on a time or piece-work basis; and

Whereas the minimum wage required to be paid by employers engaged in the dimension granite industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the stone, clay, glass, and allied industries, issued by the Administrator of the Wage and Hour Division and effective December 27, 1943; and

Whereas it appears that substantially all employees subject to the dimension granite industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the dimension granite industry; and

Whereas, it appears advisable to amend the wage determination for the dimension granite industry by providing that the prevailing minimum wage for persons employed therein, in those States, subject to a wage determination of less than 40 cents, shall be not less than 40 cents an hour.

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the dimension granite industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry, arrived at upon a time or piece-work basis, in the following States presently subject to a minimum wage below 40 cents an hour or $16.00 per week of forty hours, will be raised to 40 cents an hour or $16.00 per week of forty hours: North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas and Texas.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York 19, New York and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4375; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN FIREWORKS INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the fireworks industry issued by the Secretary of Labor on September 30, 1938, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wages for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the act are as follows:

(1) For the manufacture or supply of commercial fireworks, 31.25 cents an hour or $12.50 per week for a week of 40 hours, arrived at either upon a time or piece-work basis; and

(2) For the manufacture or supply of fusees, flares, and ship and railroad torpedoes, 37.5 cents an hour or $15.00 per week for a week of 40 hours, arrived at either upon a time or piece-work basis.

Whereas the minimum wage required to be paid by employers engaged in the fireworks industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the chemical, petroleum and coal products, and allied manufacturing industries, issued by the Administrator of the Wage and Hour Division and effective February 7, 1944; and

Whereas it appears that substantially all employees subject to the fireworks industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, conse-

quently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the fireworks industry; and

Whereas it appears advisable to amend the wage determination for the fireworks industry by providing that the prevailing wage for persons employed therein shall be not less than 40 cents an hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the fireworks industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act to provide that:

The prevailing minimum wage for all persons engaged in the performance of contracts with agencies of the United States, subject to the provisions of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), for the manufacture or supply of the products of the fireworks industry will be 40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piecework basis.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than April 30, 1944.

DATED: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4379; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN DENTAL GOODS AND EQUIPMENT MANUFACTURING INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the dental goods and equipment manufacturing industry issued by the Secretary of Labor on September 8, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), provides that the minimum wages for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the act, are as follows:

(1) For the manufacture or furnishing of any one or more of the hereinafter designated durable products of the Dental Goods and Equipment Manufacturing Industry, 40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis: *Provided*, That apprentices may be employed at lower rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship: *And provided further*, That learners may be employed at the rate of 35 cents an hour or $14.00 per week for 40 hours for a period of not to exceed sixty days, if the total number of employees so classified does not exceed 10 percent of the total number of employees in any one establishment in any given pay roll or workweek:

DURABLE GOODS

Hand instruments, including forceps and pliers, broaches and cutting instruments, for dental use.
Dental chairs.
Dental cabinets.
Equipment units.
Dental sterilizers.
Dental gas apparatus.
Dental X-ray equipment.
Dental compressors, engines and lathes.
Dental lights.
Dental laboratory equipment, other than laboratory furniture.

(2) For the manufacture or furnishing of any one or more of the hereinafter designated consumable products of the Dental Goods and Equipment Manufacturing Industry, 35 cents an hour or $14.00 per week of 40 hours, arrived at either upon a time or piece-work basis;

CONSUMABLE GOODS

Dental gold.
Dental alloy for amalgams.
Dental cement and filling materials.
Teeth, porcelain and gold.
Orthodontic appliances.
Waxes, compounds and investments.
Rubber dental materials.
Denture materials other than rubber.
Burrs, drills, and similar tools for use with handpieces.
Abrasive points, wheels and disks; and

Whereas, the minimum wage required to be paid by the employers engaged in the dental goods and equipment manufacturing industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the following wage orders, which were effective on the dates indicated:

Chemical, petroleum, and coal products, and allied manufacturing industries—February 7, 1944.
Metal, plastics, machinery, instrument, and allied industries—September 13, 1943.
Rubber products manufacturing industry—July 28, 1941.
Stone, clay, glass, and allied industries—December 27, 1943; and

Whereas it appears that substantially all employees subject to the dental goods and equipment manufacturing industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage orders of the Administrator have had the effect of establishing not less than 40 cents per hour as the prevailing minimum wage for persons employed in the consumable goods division of the dental goods and equipment manufacturing industry; and

Whereas, it appears advisable to amend the wage determination for the consumable goods division of the dental goods and equipment manufacturing industry by providing that the prevailing minimum wage for persons employed in the industry shall be not less than 40 cents per hour; and

Whereas, it appears advisable to amend the wage determination for the dental goods and equipment manufacturing industry by providing that learners may be employed in the industry at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the dental goods and equipment manufacturing industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act as follows:

So that the prevailing minimum wage arrived at upon a time or piece-work basis for employees in the industry presently subject to a minimum wage below 40 cents an hour or $16.00 a week of forty hours will be raised to 40 cents an hour or $16.00 per week of forty hours; and

So that learners may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4376; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN STRUCTURAL CLAY PRODUCTS INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas the prevailing minimum wage determination for the structural clay products industry issued by the Secretary of Labor on December 27, 1940, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, Sec. 35), as amended September 26, 1941, provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or supply of common brick, face brick (including glazed and enameled brick), salt glazed brick, manhole brick, structural clay tile (including glazed tile), unglazed facing tile, paving brick, and clay or shale granules, is the amount indicated for each of the following groups of States:

Thirty-four cents an hour or $13.60 per week of forty hours, arrived at either upon a time or piece-work basis, in the States of Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, and the District of Columbia;

For the remaining States of the United States, the prevailing minimum wage for such persons shall be 40 cents an hour or $16.00 per week of forty hours, arrived at either upon a time or piece-work basis, as provided in my original decision of December 27, 1940; and

Whereas the minimum wage required to be paid by the employers engaged in the structural clay products industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the stone, clay, glass, and allied industries, issued by the Administrator of the Wage and Hour Division and effective December 27, 1943; and

Whereas it appears that substantially all employees subject to the structural clay products industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the structural clay products industry; and

Whereas it appears advisable to amend the wage determination for the structural clay products industry by providing that the prevailing minimum wage for persons employed therein, shall be not less than 40 cents per hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the structural clay products industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the amended determination will read as follows:

That the prevailing minimum wage for all persons engaged in the performance of contracts with agencies of the United States, subject to the provisions of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, sec. 35), for the manufacture or supply of the products of the structural clay products industry shall be 40 cents an hour or $16.00 per week for 40 hours arrived at either upon a time or piece-work basis.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4381; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN EVAPORATED MILK INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the evaporated milk industry issued by the Secretary of Labor on October 3, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture and supply of evaporated milk, is the amount indicated for each of the following groups of States, whether arrived at upon a time or piece-work basis:

(1) 50 cents per hour or $20.00 per week of forty hours in the States of Washington, Oregon, and California;

(2) 40 cents per hour or $16.00 per week of forty hours in the States of Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Colorado, Wyoming, North and South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, and Ohio;

(3) 32.5 cents per hour or $13.00 per week of forty hours in the remaining States of the United States and the District of Columbia; and

Whereas the minimum wage required to be paid by the employers engaged in the evaporated milk industry subject to the provisions of the Fair Labor Standards Act of 1938 will be not less than 40 cents an hour on and after March 20, 1944, the effective date of the wage order for the meat, poultry, and dairy products industry, issued by the Administrator of the Wage and Hour Division; and

Whereas it appears that substantially all employees subject to the evaporated milk industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator will have the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the evaporated milk industry; and

Whereas it appears advisable to amend the wage determination for the evaporated milk industry by providing that the prevailing minimum wage for persons employed in the industry in those States or District presently subject to a wage determination of less than 40 cents an hour shall be not less than 40 cents an hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the evaporated milk industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry, whether arrived at upon a time or piece-work basis, in the following States and District presently subject to a minimum wage below 40 cents an hour or $16.00 per week of forty hours, will be raised to 40 cents an hour or $16.00 per week of forty hours:

For the States of Kansas, Missouri, Oklahoma, Texas, Arkansas, Louisiana, Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, Florida, Mississippi, Alabama, Georgia, Tennessee, Kentucky, Indiana, Illinois, and the District of Columbia.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4377; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGES IN PAPER AND PULP INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the paper and pulp industry issued by the Secretary of Labor on September 26, 1939, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or furnishing of pulp and other fiber and the primary conversion of pulp and other fiber into paper and paperboard, and in addition, the manufacture and conversion of primary paper into toilet paper and paper towels, coated book paper and paper shipping sacks, is the amount indicated for each of the following groups of States:

For the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, Oklahoma, Florida, and Texas, 35 cents an hour or $14.00 per week of forty hours, arrived at either upon a time or piece-work basis;

For the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, and the District of Columbia, 39 cents an hour, or $15.60 per week of forty hours, arrived at either upon a time or piece-work basis;

For the States of Washington, Oregon, and California, 50 cents an hour or $20.00 per week of forty hours, arrived at either upon a time or piece-work basis; and

Whereas the minimum wage required to be paid by the employers engaged in the paper and pulp industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage orders for the pulp and primary paper industry and for the converted paper products industry, issued by the Administrator of the Wage and Hour Division and effective September 16, 1940, and February 15, 1943, respectively; and

Whereas it appears that substantially all employees subject to the paper and pulp industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage orders of the Administrator have had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the paper and pulp industry; and

Whereas it appears advisable to amend the wage determination for the paper and pulp industry by providing that the prevailing minimum wage for persons employed in the industry in those States presently subject to a wage determination of less than 40 cents per hour, shall be not less than 40 cents per hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944, why the Secretary of Labor should not amend the wage determination for the paper and pulp industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry in the following States will be 40 cents an hour or $16.00 per week of forty hours, arrived at either upon a time or piece-work basis:

For the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, Oklahoma, Florida, Texas, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, and the District of Columbia.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City, 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4380; Filed, March 28, 1944; 4:15 p. m.]

DETERMINATION OF PREVAILING MINIMUM WAGE IN FERTILIZER INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the Fertilizer Industry issued by the Secretary of Labor on August 15, 1939, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), as amended March 20, 1940, provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or supply of superphosphates and concentrated superphosphates; and for the manufacture or mixing of concentrated fertilizer from superphosphates, potash and ammoniates, is the amount indicated for each of the following groups of States:

For the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware (except Kent and Sussex Counties), Maryland (except the Eastern Shore consisting of Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), West Virginia, Ohio, Indiana, Michigan, Wisconsin, Illinois, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, and the District of Columbia, 40 cents an hour or $16.00 per week of forty hours.

For the States of New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon, and Washington, 50 cents an hour, or $20.00 per week of forty hours.

For Kent and Sussex Counties of Delaware, the Eastern Shore of Maryland (including Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), Virginia, Tennessee, Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas, 30 cents an hour, or $12.00 per week of forty hours.

Whereas the minimum wage required to be paid by the employers engaged in the fertilizer industry subject to the provisions of the Fair Labor Standards Act of 1938 is not less than 40 cents an hour pursuant to the wage order for the chemical, petroleum and coal products, and allied manufacturing industries, issued by the Administrator of the Wage and Hour Division and effective February 7, 1944; and

Whereas it appears that substantially all employees subject to the fertilizer industry wage determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that, consequently, the aforementioned wage order of the Administrator has had the effect of establishing not less than 40 cents per hour as a prevailing minimum wage for persons employed in the fertilizer industry; and

Whereas it appears advisable to amend the wage determination for the fertilizer industry by providing that the prevailing minimum wage for persons employed in the industry in those States presently subject to a wage determination of less than 40 cents an hour shall be not less than 40 cents an hour,

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before April 30, 1944 why the Secretary of Labor should not amend the wage determination for the fertilizer industry pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the prevailing minimum wage in the industry, arrived at upon a time or piece-work basis, in the following States presently subject to a minimum wage below 40 cents an hour or $16.00 per week, of forty hours, will be raised to 40 cents an hour or $16.00 per week of forty hours:

For Kent and Sussex Counties of Delaware, the Eastern Shore of Maryland (including Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties), Virginia, Tennessee, Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

An original and four copies of all objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, 165 West 46th Street, New York City 19, New York, and should be filed with the Administrator not later than April 30, 1944.

Dated: March 15, 1944.

WM. R. MCCOMB,
Acting Administrator.

[F. R. Doc. 44-4378; Filed, March 28, 1944; 4:15 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 190]

UNLOADING OF SCRAP TIN CANS AT CHICAGO, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of March, A. D. 1944.

It appearing, that four (4) cars containing scrap tin cans for the Ben Zenoff Motor Company, Chicago, Illinois, on the Chicago and North Western Railway Company (Claude A. Roth, Trustee) and two (2) cars containing scrap tin cans for the Ben Zenoff Motor Company, Chicago, Illinois, on The Baltimore and Ohio Chicago Terminal Railroad Company or The Baltimore and Ohio Railroad Company have been on hand for some time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Scrap tin cans at Chicago, Illinois, for Ben Zenoff Motor Company to be unloaded. The Chicago and North Western Railway Company (Claude A. Roth, Trustee), The Baltimore and Ohio Chicago Terminal Railroad Company, or The Baltimore and Ohio Railroad Company, common carriers by railroad subject to the Interstate Commerce Act, and their agents or employees shall unload forthwith four (4) cars containing scrap tin cans on hand on the Chicago and North Western Railway Company (Claude A. Roth, Trustee) and two (2) cars containing scrap tin cans on hand on The Baltimore and Ohio Chicago Terminal Railroad Company or The Baltimore and Ohio Railroad Company, all at Chicago, Illinois, for Ben Zenoff Motor Company. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Chicago and North Western Railway Company (Claude A.

Roth, Trustee), The Baltimore and Ohio Chicago Terminal Railroad Company, and The Baltimore and Ohio Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4396; Filed, March 29, 1944; 11:16 a. m.]

[S. O. 191]

UNLOADING COAL AT CHARLESTOWN, MASS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of March, A. D. 1944.

It appearing, that ten (10) cars containing bituminous coal for the Snider Fuel Corporation, Charlestown, Massachusetts, on the Boston and Maine Railroad have been on hand for some time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered,* That:

Coal at Charlestown, Massachusetts, for the Snider Fuel Corporation to be unloaded. The Boston and Maine Railroad, a common carrier by railroad subject to the Interstate Commerce Act, its agents or employees, shall unload forthwith ten (10) cars containing bituminous coal on hand on its railroad at Charlestown, Massachusetts, billed to the Snider Fuel Corporation. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Boston and Maine Railroad and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-4397; Filed, March 29, 1944; 11:16 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 171]

WESTERN ELECTRIC CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 171 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Western Electric Company, Incorporated. (Docket No. 3136-379).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) That Western Electric Company, Incorporated, 195 Broadway, New York City, is authorized to increase the maximum prices of its magneto switchboard and magneto switchboard apparatus to 154.5% of standard shop costs of these items; and the maximum selling price of its magneto station apparatus to 112.5% of standard shop costs.

(b) The distributors of the products affected by this order are hereby authorized to increase their maximum selling prices therefor by the addition of the increase in the cost to them of the said items resulting from this order.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective March 29, 1944.

Issued this 28th day of March 1944.

JAMES F. BROWNLEE, *Acting Administrator.*

[F. R. Doc. 44-4372; Filed, March 28, 1944; 4:09 p. m.]

[MPR 477, Order 11]

RUBBER HEELS AND SOLES

AUTHORIZATION OF MAXIMUM PRICES

Order No. 11 under Maximum Price Regulation No. 477. Sales of rubber heels and soles in the shoe factory and home replacement trades.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 15 of Maximum Price Regulation No. 477, *It is ordered:*

(a) This order is applicable only to sales in the home replacement trade of V-1, V-2, V-3, super grade, standard grade, and competitive grade rubber heels as defined in § 1315.1420 of Maximum Price Regulation 200; and HF-A, HF-B, and HF-C grade rubber heels as defined in section 18 of Maximum Price Regulation 477.

(b) All manufacturers and wholesalers may sell or deliver to wholesalers or retailers and wholesalers and retailers may buy or receive such rubber heels for sale in the home replacement trade at prices to be adjusted upward in accordance with action that may hereafter be taken by the Office of Price Administration changing the applicable maximum price for manufacturers' sales to wholesalers and retailers and wholesalers' sales to retailers of such heels in the home replacement trade.

(c) Unless and until the Office of Price Administration changes the maximum prices applicable to such rubber heels for sale in the home replacement trade, no manufacturer may receive, no wholesaler may pay or receive, and no retailer may pay or receive for such rubber heels sold in the Home Replacement Trade more than the maximum prices presently established under Maximum Price Regulation No. 477.

(d) This order shall be automatically revoked on the effective date of Amendment No. 4 to Maximum Price Regulation 477.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective April 3, 1944.

Issued this 28th day of March 1944.

JAMES F. BROWNLEE, *Acting Administrator.*

[F. R. Doc. 44-4373; Filed, March 28, 1944; 4:09 p. m.]

[RO 17, Administrative Exception Order 22]

LITTLE FALLS FELT SHOE CO.

AUTHORIZATION OF RATION-FREE SALES

The above petitioner, Little Falls Felt Shoe Company, Little Falls, New York, is a duly registered manufacturing establishment. The petitioner has been engaged in the manufacture of men's Wanagans to be used for outdoor wear by teamsters, farmers and other workmen as protection against the cold in winter months. Except for a small leather tab at the vamp seam, the shoe is made entirely of felt and non-critical materials. The tab is made from scrap leather. However, since it is made of leather the shoe is rationed. The petitioner has discontinued the use of the leather tab in the manufacture of these Wanagans but it has on hand approximately 4,000 pairs having the leather tab on the vamp seam. Due to the fact that this shoe is a special type to be used only under certain climatic conditions, it will not sell for ration currency. Since this shoe is made of material other than leather or rubber except for the leather tab and because the petitioner will suffer a severe financial loss unless

these shoes can be sold ration-free, the petitioner requests permission to transfer the above described shoes ration-free.

The relief requested in this case may be granted in this and all similar cases without defeating or impairing the effectiveness of the policy of Ration Order 17.

It is hereby ordered, That the Little Falls Felt Shoe Company, Little Falls, New York, is authorized to receive from the District Office serving the locality in which the petitioner is located the necessary number of non-rationed stickers needed to transfer ration-free the above described shoes. The petitioner is further authorized to attach a non-rationed sticker to one shoe of each pair of the Wanagans to be transferred ration-free. The petitioner then may transfer them ration-free. Any unused stickers shall be returned to the District Office within 30 days after they are received by the petitioner.

It is hereby further ordered, That any other persons similarly situated may be given the same relief on similar conditions upon application to and written authorization from the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington, D. C.

Issued and effective this 29th day of March 1944.

COL. BRYAN HOUSTON,
Deputy Administrator.

[F. R. Doc. 44-4407; Filed, March 29, 1944; 11:40 a. m.]

[MPR 188, Order 27]

EASTERN FOUNDRY CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 27 under paragraph (a) (8) of Order No. A-2 under Maximum Price Regulation No. 188. Manufacturers maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of certain models of cast-iron coal-fired hot-water supply boilers manufactured by the Eastern Foundry Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and paragraph (a) (8) of Order No. A-2 issued under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order permits the Eastern Foundry Company of Boyertown, Pennsylvania, and the jobbers, distributors and dealers and retailers of its cast-iron coal-fired hot-water supply boilers to add to their maximum net prices of certain designated cast-iron coal-fired hot-water supply boilers the amounts specified below.

(1) *Manufacturers' prices.* On and after March 30, 1944, the Eastern Foundry Company may increase its maximum net price for the following models of its cast-iron coal-fired hot-water supply boilers by the amounts indicated:

Model number:	*Amount of increase permitted*
47-D	$2.80
51-D	2.32
71-D	2.19
91-D	1.13
46-L	.49
61-L	1.27
85-D	2.04
102-D	2.22
119-D	1.27
150-D	3.80
250-D	3.53
255-D	1.58

(2) *Jobber's, distributor's, dealer's and retailer's prices.* All jobbers, distributors, dealers and retailers may adjust their maximum net prices for the cast-iron coal-fired hot-water supply boilers designated above by adding to their present maximum net prices established by the General Maximum Price Regulation the dollars-and-cents increase in cost resulting from the increase permitted the Eastern Foundary Company by this order.

(b) *Notification to all purchasers.* All persons selling cast-iron coal-fired hot-water supply boilers who adjust their maximum prices under the authority of this order shall send the following notice to every purchaser of such supply boilers at the time of billing:

Order No. 27 under paragraph (a) (8) of Order A-2 under Maximum Price Regulation No. 188 granted us an increase in the amounts set forth below to our maximum net price for the following specified models of cast-iron coal-fired hot-water supply boilers.

Model Number

(List model number included in Order No. 27)

Amount of Increase Permitted

(Insert correct amount of increase)

This notice is given to you at the express direction of the Office of Price Administration.

(c) All prayers in the application of the Eastern Foundry Company not granted in this order are denied.

(d) This Order No. 27 may be revoked or amended by the Price Administrator at any time.

This Order No. 27 shall become effective March 30, 1944.

Issued this 29th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-4408; Filed, March 29, 1944; 11:40 a. m.]

Regional and District Office Orders.

[Region VI Order G-11 Under RMPR 122, Amdt. 1]

SOLID FUELS IN CHICAGO AREA

Amendment No. 1 to Order No. G-11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Chicago Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That paragraph (i) be deleted and that paragraphs (c), (e), (j) (2), (k) (3) and (k) (4) of Order G-11 be amended to read as set forth below:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; Columns 2, 3, 4 and 5 show maximum prices for "domestic sales" of coal (as defined in paragraph (k) (4)) delivered in the quantities indicated by each column heading; Column 6 shows the maximum prices for yard sales to other dealers for resale, and Column 7 shows maximum prices for "commercial sales" (as defined in paragraph (k) (3)). All prices are stated on a net ton basis.

During the period February 7 to March 5, 1944, the maximum prices shown in Part VII A and footnote of the schedule are increased by 45¢ per ton, 25¢ per ½ ton and 15¢ per ¼ ton.

(2) No prices are shown in Column 7, "Commercial," for those fuels customarily used only for domestic purposes. Similarly, no prices are shown in Columns 1 to 6 for those fuels customarily used only for commercial purposes. For such fuels, however, the prices shown in the schedule (adjusted for the quantity delivered) are the maximum prices irrespective of the type of sale. Fuels for which only a commercial price is shown may not be sold at a price higher than the price shown in Column 7 of the schedule, irrespective of the use. Fuels for which domestic but not commercial prices are shown may be sold at the domestic prices indicated in the schedule, irrespective of the use to which the fuels are put. The maximum prices for solid fuels of a size and type not provided for in the schedule, shall be established under the applicable provisions of Revised Maximum Price Regulation No. 122, as amended.

* * * * *

SCHEDULE OF MAXIMUM PRICES

1	2 4 ton or more delivered	3 1-2-3-ton	4 ½ ton delivered	5 ¾ ton delivered	6 Yard sales to dealers	7 Commercial
*	*	*	*	*	*	*
II. High volatile bituminous coal from District No. 8 (E. Ky. & W. Va.):						
*	*	*	*	*	*	*
6. Nut, 1¼" x 2"	$10.20	$10.70	$5.85	$3.45	$8.60	------
*	*	*	*	*	*	*
III. High volatile coal from District No. 9 (W. Ky.):						
A. 6th Seam:						
1. Size Groups 1 thru 6. All single screen lump coals and all double-screened raw washed or air-cleaned egg coals, top size larger than 2"	9.20	9.70	5.35	3.20	7.65	------
2. Size Groups 8 to 12, inclusive. All raw, double-screened nut, stoker and pea coals top size not exceeding 2" and bottom size larger than 10 mesh	8.70	9.20	5.10	3.05	7.50	------
3. Size Group 7. Straight mine run no fines removed. Mine run modified by removal of any intermediate size or sizes—no fines removed. All mine run resultants larger than 2"—no fines removed	7.85	8.35	4.70	2.85	6.65	------
4. Size Groups 26 to 29, inclusive. All dry dedusted screenings, top size not exceeding 2"	------	------	------	------	------	$7.65
B. 14th and Stray Seam:						
1. Size Groups 23 and 24. All washed or air-cleaned screenings larger than ⅜" x 0 but not exceeding 2" x 0	------	------	------	------	------	6.80
III. High volatile coal from District No. 9 (W. Ky.)—Continued.						
C. 9th, 11th and all other seams:						
1. Size Groups 23 and 24, all washed or air cleaned screenings larger than ⅜" x 0 but not exceeding 2" x 0	------	------	------	------	------	$7.10
IV. High volatile bituminous coal from District #10 (Illinois):						
*	*	*	*	*	*	*
2. Egg, 5" x 2", 8" x 3"	$9.15	$9.65	$5.35	$3.20	$7.60	------
*	*	*	*	*	*	*
V. High volatile bituminous coal from District #11 (Indiana):						
*	*	*	*	*	*	*
4. Stoker Nut, 1¼" and larger x 10 mesh	7.70	8.20	4.60	2.80	6.50	------
*	*	*	*	*	*	*
VI. Low volatile smithing coal from District #1 (Penn.) retroactive to December 20, 1943	12.30	12.80	6.90	3.95	10.80	------
*	*	*	*	*	*	*
VIII. Chicago manufactured coke—retroactive to December 20, 1943:						
1. Egg, stove, nut	14.80	15.30	8.15	4.60	13.10	------
2. Pea	13.80	14.30	7.65	4.35	12.10	------
*	*	*	*	*	*	*
X. Briquettes:						
1. All types	12.85	13.35	7.20	4.10	11.20	------

(e) *Cash discounts and time payment charges.* (1) The maximum prices provided for in this order shall be reduced by 25¢ a ton for domestic coal and 15¢ a ton for commercial coal if payment is made within 10 days from the date invoice is rendered.

(2) Any seller covered by this order who during December 1941 had in effect a regularly established plan for selling coal at retail on an installment basis with specific charges for the privilege of deferring payments may file an application with the Chicago Regional Office of the Office of Price Administration requesting permission to continue such plan in effect. Such application shall set forth the plan in detail. The Regional Administrator of the Office of Price Administration may grant permission to continue the use of such plan in whole or in part.

* * * * *

(i) *Records.* [Deleted]

(j) *Posting of maximum prices and records.* * * *

(2) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date; the name and address of the buyer, if known; the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) *Definitions and explanations.* * * *

(3) "Commercial sales" shall mean sales made to all commercial, industrial or institutional users and all sales for use in apartment buildings having 3 or more apartments.

(4) "Domestic sales" shall mean all sales of coal or coke other than commercial sales and yard sales.

Except as otherwise specifically indicated, this Amendment No. 1 to Order No. G–11 shall be effective March 25, 1943.

Issued this 21st day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–4315; Filed, March 27, 1944; 5:06 p. m.]

[Region VII Order G–1 Under SR 15]

FLUID MILK IN MONTANA

Order No. G–1 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation. Adjusted maximum prices for fluid milk sold at wholesale and at retail in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.75 (a) (9) (i) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this order is issued.

(a) *What this order does.* This order supersedes 2d Revised Order No. G–12 under § 1499.18 (c) of the General Maximum Price Regulation and all amendments thereto; divides the State of Montana into five districts and establishes specific maximum prices in each district for fluid milk when sold for human consumption; maintains present maximum prices as established by said 2d Revised Order No. G–12 and the five amendments thereto, except in the small communities of Malta, Saco, Scobey, Red Lodge, Livingston, and Bozeman, in which said communities prices are adjusted upward, not, however, to exceed one cent per quart at retail.

(b) *Order superseded.* 2d Revised Order No. G–12 under § 1499.18 (c) of the General Maximum Price Regulation and Amendments Nos. 1, 2, 3, 4, and 5 issued thereto are hereby superseded as of the effective date hereof; and from and after the effective date, the maximum prices for the commodity in question throughout said five several districts of the State of Montana shall be as set forth herein.

(c) *State of Montana divided into five districts.* For the purpose of this order the State of Montana is hereby divided into five districts, to be known as District No. 1, District No. 2, District No. 3, District No. 4, and District No. 5, each of which said districts shall be as defined in paragraph (e) hereof.

(d) *Maximum prices for fluid milk sold at wholesale and at retail in the several districts of the State of Montana.* The maximum prices for fluid milk sold at wholesale in glass bottles or paper containers in a quantity less than one gallon and sold in bulk by the gallon in whatever container, and sold at retail in glass bottles or paper containers in the five several districts of the State of Montana shall, upon and after the effective date of this order be as follows:

Size of glass or paper container	District No. 1		District No. 2		District No. 3		District No. 4		District No. 5	
	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
¼ pint	4	6	4	6	4	6	4	----------	3½	6
Pint	7	8	6	8	6	8	6	7	5	7
Quart	12	14	11½	13½	11	13	10½	12½	10	12
Bulk, any container: Gallon	44	----------	48	----------	40	----------	40	----------	36	----------

NOTE.—Except as to all fluid milk sold in bulk, the prices hereinabove specified for each of said five several districts may be increased ½¢ per quart for every ½% or major fraction thereof of butterfat content in excess of 4%.

(e) *Definitions.* (1) "District No. 1" means all that area in the State of Montana contained within the municipalities of Seeley Lake, Anaconda, Butte, Helena, East Helena, Great Falls, and Miles City, and a distance of five miles beyond the corporate limits of each of said municipalities at all points.

(2) "District No. 2" means all that area in the State of Montana contained within the municipalities of Sidney, Fairview, and Forsyth, and a distance of three miles beyond the corporate limits of each of said municipalities at all points.

(3) "District No. 3" means all that area in the State of Montana contained within the counties of Beaverhead, Cascade (except that portion contained within the municipality of Great Falls and a distance of five miles beyond the corporate limits thereof at all points), Custer (except that portion contained within the municipality of Miles City and a distance of five miles beyond the corporate limits thereof at all points), Deer Lodge (except that portion contained within the municipality of Anaconda and a distance of five miles beyond the corporate limits thereof at all points), Fergus, Flathead, Glacier, Hill, Lewis and Clark (except that portion contained within the municipalities of Helena and East Helena and a distance of five miles beyond the corporate limits thereof at all points), Lincoln, Musselshell, Pondera, Prairie, Sheridan, Silver Bow (except that portion contained within the municipality of Butte and a distance of five miles beyond the corporate limits thereof at all points), Toole, and Valley, and the municipalities of Hardin, Billings, Laurel, Columbus, Malta, Saco, and Scobey, and a distance of twelve miles beyond the corporate limits of each of said municipalities at all points.

(4) "District No. 4" means all that area within the State of Montana contained within the municipalities of Bozeman, Livingston, and Red Lodge, and a distance of five miles beyond the corporate limits of each of said municipalities at all points.

(5) "District No. 5" means all that area within the State of Montana contained within the Counties of Big Horn (except the municipality of Hardin and a distance of twelve miles beyond the corporate limits thereof at all points), Blaine, Broadwater, Carbon (except the municipality of Red Lodge and a distance of five miles beyond the corporate limits thereof at all points), Carter, Choteau, Daniels (except the municipality of Scobey and a distance of twelve miles beyond the corporate limits thereof at all points), Dawson, Fallon, Gallatin (except the municipality of Bozeman and a distance of five miles beyond the corporate limits thereof at all points), Garfield, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, McCone, Madison, Meagher, Mineral, Missoula (except the municipality of Seeley Lake and a distance of five miles beyond the corporate limits thereof at all points), Park (except the municipality of Livingston and a distance of five miles beyond the corporate limits thereof at all points), Petroleum, Phillips (except the municipalities of Malta and Saco and a distance of twelve miles beyond the corporate limits thereof at all points), Powder River, Powell, Ravalli, Richland (except the municipalities of Fairview and Sidney and a distance of three miles beyond the corporate limits thereof at all points), Roosevelt, Rosebud (except the municipality of Forsyth and a distance of three miles beyond the corporate limits thereof at all points, Sanders, Stillwater (except the municipality of Columbus and a distance of twelve miles beyond the corporate limits thereof at all points), Sweet Grass, Teton, Treasure, Wheatland, Wibaux, and Yellowstone (except the municipalities of Billings and Laurel and a distance of twelve miles beyond the corporate limits thereof at all points).

(6) "Milk" or "fluid milk" means cow's milk, processed or raw, of approved grade and distributed and sold at wholesale in glass bottles or paper containers in quantities less than one gallon and in bulk in whatever container in quantities of one gallon or more and sold at retail in glass bottles or paper containers in quantities less than one gallon for human consumption as whole milk and containing not less than 3.25% butterfat content.

(7) Insofar as the same are not contradictory of or inconsistent with any of the terms and provisions of this order, the definitions and explanations set forth in § 1499.20 of the General Maximum Price Regulation shall apply to all persons and all transactions covered by this order.

(f) *Higher established maximum prices may be maintained.* Any seller who has established maximum prices under § 1499.2 of the General Maximum Price Regulation or any applicable price regulation supplementary thereto, or under Maximum Price Regulation No. 280 or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Marketing Agreement Act, as amended, that are higher than the prices fixed by this order may continue to sell at such higher established maximum prices and the same shall not be modified or superseded by this order.

(g) *Customary discounts, allowances, and differentials need not be maintained.* Upon and after the effective date of this order, it shall not be obligatory upon any seller of fluid milk hereunder to maintain or continue any customary allowance, discount, quantity discount, or differential heretofore established by him; *Provided, however,* That any seller may sell at a price lower than the maximum prices established by this order if he so desires.

(h) *Exempt sales.* This order does not apply to or in any manner affect sales of fluid milk made by one distributor or wholesaler to another distributor or wholesaler, or to purchases made from producers under Maximum Price Regulation No. 329.

(i) *Right to revoke or amend.* This order may be revoked, modified, or amended by the Price Administrator or the Regional Administrator at any time.

(j) *Effective date.* This order shall become effective on the 21st day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-4313; Filed, March 27, 1944; 5:07 p. m.]

[Region VII Rev. Order G-4 Under MPR 329]

FLUID MILK IN MONTANA

Revised Order No. G-4 under Maximum Price Regulation No. 329. Purchases of fluid milk from producers in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351.408 (a) (1) (i) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Revised Order No. G-4 is issued.

(a) *Former orders superseded.* This Revised Order No. G-4 supersedes Order No. G-4 and Amendment No. 1 thereto as of the effective date hereof.

(b) *State of Montana divided into five districts.* For the purpose of this Revised Order No. G-4, the State of Montana is hereby divided into five districts, to be known as District No. 1, District No. 2, District No. 3, District No. 4, and District No. 5, as hereinafter defined.

(c) *Maximum prices for milk purchased from producers in the several*

districts of the State of Montana. The maximum prices for milk purchased from producers in the several districts of the State of Montana upon and after the effective date of this Revised Order shall be the maximum producer's price established under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, or the specific maximum prices set forth below when sold f. o. b. the producer's place of production, whichever is higher.

In District No. 1, 92¢ per pound of butterfat content.
In District No. 2, 84¢ per pound of butterfat content.
In District No. 3, 80¢ per pound of butterfat content.
In District No. 4, 26¢ per gallon.
In District No. 5, 76¢ per pound of butterfat content.

(d) *Fractional price adjustments.* Computations of the butterfat content of milk shall be carried out to the second decimal place, and fractions of a cent in price shall be adjusted upward to the next cent if the fraction is one-half or more, and shall be adjusted downward to the next cent if the fraction is less than one-half cent.

(e) *Exempt sales.* (1) This order shall not apply to sales and deliveries of milk at retail, whatever the container, or to sales at wholesale, except when made by a producer to a purchaser who bottles the same in glass or paper containers for resale for human consumption as fluid milk.

(2) This order shall not apply to purchases of bulk milk from producers for use in manufacturing dairy products such as butter, cheese, evaporated or condensed milk, casein, ice cream, or any other commercial or industrial milk product.

(f) *Applicability of other price regulations.* Except insofar as the same is contradictory of or inconsistent with the terms and provisions of this revised order, Maximum Price Regulation No. 329 shall remain in full force and effect and be applicable to all purchases of milk made under this order.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Definitions.* (1) "Milk" means cow's milk in a raw, unprocessed and ungraded state which is produced for resale for human consumption as fluid milk.

(2) "In a raw, unprocessed and ungraded state" means unpasteurized and not sold or delivered in glass bottles or paper containers subject to municipal ordinance or other regulation as to butter fat content or bacteria count.

(3) "District No. 1" of the State of Montana means the municipalities of Seeley Lake in Missoula County, Anaconda in Dear Lodge County, Butte in Silver Bow County, Helena and East Helena in Lewis and Clark County, Great Falls in Cascade County, and Miles City in Custer County, and a distance of five miles beyond the respective corporate limits of each said municipality at all points.

(4) "District No. 2" of the State of Montana means the Counties of Beaverhead, Cascade (except the municipality of Great Falls and a distance of five miles beyond the corporate limits thereof at all points), Custer (except the municipality of Miles City and a distance of five miles beyond the corporate limits at all points), Deer Lodge (except the municipality of Anaconda and a distance of five miles beyond the corporate limits thereof at all points), Fergus, Flathead, Glacier, Hill, Lewis and Clark (except the municipalities of Helena and East Helena and a distance of five miles beyond the corporate limits thereof at all points), Lincoln, Musselshell, Pondera, Prairie, Sheridan, Silver Bow (except the municipality of Butte and a distance of five miles beyond the corporate limits thereof at all points), Toole, and Valley, and the municipalities of Hardin in Big Horn County, Billings in Yellowstone County, Forsyth in Rosebud County, Malta and Saco in Phillips County, Scobey in Daniels County, Sidney and Fairview in Richland County (including an area extending beyond the corporate limits of each said municipality a distance of twelve miles at all points).

(5) "District No. 3" of the State of Montana means the municipalities of Red Lodge in Carbon County, and Livingston in Park County (including an area extending beyond the respective corporate limits of each said municipality a distance of five miles at all points).

(6) "District No. 4" of the State of Montana means the municipality of Bozeman in Gallatin County (including an area extending beyond the corporate limits thereof a distance of five miles at all points).

(7) "District No. 5" of the State of Montana means the Counties of Big Horn (except the municipality of Hardin and a distance of twelve miles beyond the corporate limits thereof at all points), Blaine, Broadwater, Carbon (except the municipality of Red Lodge and a distance of five miles beyond the corporate limits thereof at all points), Carter, Choteau, Daniels (except the municipality of Scobey and a distance of twelve miles beyond the corporate limits thereof at all points), Dawson, Fallon, Gallatin (except the municipality of Bozeman and a distance of five miles beyond the corporate limits thereof at all points), Garfield, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, McCone, Madison, Meagher, Mineral, Missoula (except the municipality of Seeley Lake and a distance of five miles beyond the corporate limits thereof at all points), Park (except the municipality of Livingston and a distance of five miles beyond the corporate limits thereof at all points), Petroleum, Phillips (except the municipalities of Malta and Saco and a distance of twelve miles beyond the respective corporate limits thereof at all points), Powder River, Powell, Ravalli, Richland (except the towns of Fairview and Sidney and a distance of twelve miles beyond the respective corporate limits thereof at all points), Roosevelt, Rosebud (except the municipality of Forsyth and a distance of twelve miles beyond the corporate limits thereof at all points), Sanders, Stillwater, Sweetgrass, Teton, Treasure, Wheatland, Wibaux, and Yellowstone (except the municipality of Billings and a distance of twelve miles beyond the corporate limits thereof at all points).

(8) "Producer" means a farmer or other person or representative who owns, superintends, manages, or otherwise controls the operation of a farm on which milk is produced.

(i) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(j) *Effective date.* This Revised Order No. G-4 shall become effective on the 21st day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of March 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-4314; Filed, March 27, 1944; 5:07 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-348]

SECURITIES CORPORATION GENERAL

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of March, A. D. 1944.

Securities Corporation General, a registered investment company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said Act a transaction in which the applicant proposes to sell to Russel B. Stearns, Janson Noyes, John M. Foster, C. T. Williams, Scott Allen and Ellis D. Slater a total of 10,637 shares of the Class B stock, $1.00 par value, of National Food Products Corporation (National Food). The proposed sales price for the stock is $32.50 per share, an aggregate sum of $345,702.50. The purchasers (other than Ellis D. Slater) are affiliated persons of National Food or its subsidiary, Colonial Stores Incorporated, and such corporations are affiliated persons of the applicant.

It is ordered, Pursuant to section 40 (a) of the said Act that a hearing on the aforementioned application be held on April 6, 1944 at 10:00 a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Willis E. Monty, Esq., or any other officer or of-

ficers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Securities Corporation General, and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4363; Filed, March 28, 1944; 2:39 p. m.]

[File No. 1-806]

CHICAGO AND NORTH WESTERN RAILWAY CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of March, A. D. 1944.

The Chicago Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the $100 Par Common Stock and the $100 Par 7% Non-Cumulative Preferred Stock of Chicago and North Western Railway Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, April 17, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection herewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4364; Filed, March 28, 1944; 2:39 p. m.]

CHICAGO STOCK EXCHANGE

DECLARATION OF EFFECTIVENESS OF PLAN

The Chicago Stock Exchange, pursuant to § 240.10b-2 (d) (Rule X-10B-2 (d)) having filed on March 18, 1944, a plan for special offerings contained in Article XXXIII of the rules of the Chicago Stock Exchange; and

The Securities and Exchange Commission, having given due consideration to the terms of such plan, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof and Rule X-10B-2 (d) thereunder, hereby declares such plan to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective March 27, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-4365; Filed, March 28, 1944; 2:39 p. m.]

UNITED STATES COAST GUARD.

APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated 28 February, 1942 (7 F.R. 1609), the following approval and withdrawal of approval of equipment are prescribed:

ITEMS OF EQUIPMENT APPROVED

FIRST-AID KIT

First-aid kit, Model OC-44, submitted by the Oceanic Chemical Company, Inc., 280 Pearl Street, New York, N. Y.

LUMINOUS CLOTH OR TAPE FOR MARKING INTERIOR ACCOMMODATIONS, ETC.

Luminous tape, types 11-1031, 11-1032, 11-1033, and 10-1332, submitted by Charles F. Heaphy Company, Graybar Building, New York, N. Y.

SEA ANCHOR

Sea anchor, Type SEAWAY (U. S. Coast Guard Specification and Dwg. No. MMI-562, dated 1 November, 1943), submitted by Seaway Manufacturing Co., 511 North Solomon Street, New Orleans, La.

APPROVAL WITHDRAWN

LINE-THROWING GUN

Line-throwing gun, manufactured by R. S. Newbold & Son Company, Norristown, Pa. (Originally approved in 1919) (Any on board ship in good condition may remain in service.)

R. R. WAESCHE, *Vice Admiral, USCG, Commandant.*

MARCH 29, 1944.

[F. R. Doc. 44-4387; Filed, March 29, 1944; 9:20 a. m.]

WAR MANPOWER COMMISSION.

[G. O. 11]

LIST OF ESSENTIAL ACTIVITIES

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 (7 F.R. 2919) and 9279 (7 F.R. 10177), War Manpower Commission General Order No. 11 (8 F.R. 11421), List of Essential Activities, is hereby amended, effective February 23, 1944, to read as follows:

The following activities are designated as essential activities and as included in and constituting the List of Essential Activities.

1. *Production of aircraft and parts.* The production, maintenance, and repair of aircraft, gliders, parachutes, dirigibles, balloons, aircraft engines, aircraft parts, pontoons, propellers, and similar products.

2. *Production of ships, boats, and parts.* The production, maintenance, and repair of ships, boats, ship and boat parts and equipment.

3. *Production of ordnance and accessories.* The production, maintenance, and repair of firearms, guns, howitzers, mortars, gun turrets and mounts, tanks, sighting and fire-control equipment, torpedo tubes, and similar products.

4. *Production of ammunition.* The production of bombs, mines, torpedoes, grenades, chemical warfare projectiles, explosives, fuses, pyrotechnics, as well as products such as glycerin which go into the manufacture of ammunition.

5. *Agriculture and commercial fishing*—(a) *Agricultural products.* Livestock and livestock products, including beef cattle, dairy cattle, hogs, poultry, sheep, and goats; fiber, oil crops, and potatoes, including castor beans, American-Egyptian, Sea Island and Upland cotton, flaxseed and soybeans, hemp, peanuts, Irish potatoes, and sweet potatoes; field crops, including barley, dry field peas, oats, rye, wheat, alfalfa hay, alfalfa, hay seed, cover crop seed, broomcorn, corn for grain and silage, dry edible beans, green peas for processing, rice, sweet corn, hybrid seed corn, grain sorghum, tame hay and seed, wild or native hay; pineapples, tree fruits, small fruits and berries; medicinal, insecticide, and rubber plants; vegetables for fresh consumption and processing; vegetable plants and seeds; other food and special crops, including honey, tree nuts, sugarcane for sugar and syrup, sugar beets, sugar beet seed, sorghum and sorgo syrup, and tobacco.

(b) *Agricultural services.* Agricultural, horticultural, and animal husbandry services such as: Commercial poultry hatcheries, seed processing, animal breeding, crop disease protection services, initial processing services such as ginning, compressing, threshing, cleaning, shelling and curing, irrigation services, farm repair and maintenance services, farm product assembly services, all of which are performed on a substantially year-round basis to essential activities related to essential crops and livestock enterprises indicated in Selective Service Local Board Release No. 164; grist milling (custom); ice harvesting.

(c) *Commercial fishing.* Including fish hatcheries (conservation or commercial) and sponges: Gathering, bleaching, cutting, and trimming.

6. *Processing of food.* Meat packing and slaughtering (including poultry), production of dairy products, eggs, fish and nuts, fruits and vegetables and their juices, soups, flour and other grain mill products, prepared feeds for animals and fowls, starch, cereals, rice, bread and other bakery products, sugar,

leavening compounds, corn syrup, fats and oils, ice. Includes dried, preserved, dehydrated, frozen, canned, and other special-processed foods.

7. *Forestry, logging, lumbering, and forest industries.* Timber tracts and logging camps, cutting of pulpwood, wood for tanning extract, charcoal, sawmills, veneer, cooperage-stock, planing, and plywood mills, raising of tung oil trees; fire prevention, pest control; forest nurseries and reforestation services; gathering of gums and barks for the manufacture of naval stores and medicinal purposes.

8. *Construction.* Highway and street construction; marine construction; construction of approved industrial plants, houses, hospitals, and military projects; repair of such facilities; and services necessary to complete such construction.

9. *Coal mining.* The mining of anthracite, bituminous, and semi-anthracite coal, lignite, and peat, and the operation of breakers or preparation plants. Includes also removing overburden and other such activities preparatory to coal mining operations.

10. *Metal mining.* The mining of iron, copper, tin, lead, zinc, aluminum, mercury, manganese, chromium, molybdenum, tungsten, vanadium and similar ores, and the dressing of such ores. Includes also removing overburden, sinking shafts, and other such activities preparatory to metal mining operations.

11. *Nonmetallic mining and processing and quarrying.* The mining, processing, or quarrying of salt, gypsum, phosphate rock, sulphur, potash, asbestos, graphite pyrites, graphite, borates and other salines, fluorspar, mica, talc, abrasive sands, calcite (optical), and similar essential products.

12. *Smelting, refining and rolling of metal; scrap salvage.* Primary and secondary smelting, and refining, alloying, rolling, and drawing of iron, steel, copper, lead, zinc, magnesium, aluminum, brass, bronze, nickel, tin, cadmium, ferro-alloys, and any other metals used in the production of war materials; and scrap salvage.

13. *Production of metal shapes and forgings.* The manufacture of castings, die castings, forgings, wire, nails, chains, anchors, axles, pipe, springs, screws, bolts, tubing, stampings, pressings, structural shapes, and machined parts.

14. *Finishing of metal products.* Enameling, japanning, lacquering, painting, plating, galvanizing, aluminum coating, polishing, rustproofing of metal products; sherardizing, retinning of cans and utensils; heat treating.

15. *Production of industrial and agricultural equipment.* Power boilers, wiring devices and supplies; agricultural implements; electric lamps; storage and primary batteries; pumps, compressors, and pumping equipment; recording, controlling and measuring instruments and meters; conveyors, industrial cars and trucks; blowers, exhaust and ventilating fans; mechanical power-transmission equipment such as clutches, drives and shafts; mechanical stokers; tools, files, and saws; plumbers' supplies; professional and scientific instruments, photographic apparatus, and optical instruments; and all equipment necessary to operate plants producing essential commodities.

16. *Production of machinery.* Engines and turbines; metal-working machinery and equipment; electrical generating, distribution, and industrial apparatus for electric public utility, manufacturing, mining, transportation, and construction use, for use in manufactured products or in service industries; construction, mining, agricultural, oil field, smelting, and refining machinery, as well as all machinery necessary to produce, equip, and maintain aircraft, ships, ordnance, and other military equipment.

17. *Production of chemicals and allied products.* Industrial organic chemicals: Coal and petroleum crudes, coal tar intermediates, dyes, color lakes and toners, explosives and components of explosives, synthetic fibers, synthetic rubbers, plastics materials, noncoal-tar intermediates and solvents, and miscellaneous organic chemicals; gum and wood chemicals, plasticizers, rubber chemicals, and tanning extracts. Drugs, medicines, and insecticides: Drug grinding, crude botanical drugs, botanical drugs, derivatives, and synthetic equivalents, biological products, drugs of animal origin, pharmaceuticals for use in proprietary remedies and prescriptions, insecticides, fungicides, fumigants, rodenticides, and laboratory animals for biological and pharmaceutical experimentation. Heavy inorganic chemicals: Acids, alkalies, carbonates, and miscellaneous heavy chemicals. Industrial, industrial fine and related inorganic chemicals; inorganic compounds. Fertilizer materials: nitrogenous, phosphatic, and potassic fertilizer materials, mixed fertilizers, organic nitrogenous materials, and agricultural liming materials. Paints, varnishes, pigments, and allied products: Color pigments, ester gums and resins, thinners, paint dryers, wood fillers and whiting. Compressed and liquefied gases: Gaseous hydrocarbons, elemental and nonhydrocarbon gases. Vegetable and animal oils and fats: Animal oils and fats; vegetable oils. Miscellaneous chemicals and chemical products: Bleaching compounds, boiler treating compounds, catalysts, chemical cotton pulp, emulsifiers, matches, oil treating compounds, photographic and pharmaceutical gelatin, synthetic resin adhesives and glue, analytical reagents, water treating compounds, and wetting agents, including sulfonated oils. (Fire works, pyrotechnics, and flares are included with ammunition in Group 4, salt and crude sulfur in Group 11, and magnesium metal in Group 12.)

18. *Production of rubber products.* All rubber products.

19. *Production of leather products.* The production of shoe and belting leather; industrial belting for transmission of power; saddlery, harness, and accessories; military and rationed boots and shoes; infants' shoes (sizes through 4); gloves for military and industrial use; leather garments.

20. *Production of textiles.* Production of textiles including the processing, manufacturing, bleaching, dyeing, printing, and other finishing of textile cordage, fabrics (excluding wool or fur felt for hats and fancy fabrics such as brocades, chiffons, damasks, laces, velvet, etc.), fibers, nets, rope, twine, yarns, made of or using any of the following materials: Animal hair (other than wool) such as bristles, alpaca, etc.; asbestos, cotton, fibrous glass, flax, hemp, henequen, jute, kapok, manila, nylon, rayon, rubber, silk, sisal, shearlings; waste (processed), wool, other synthetic filaments or fibers.

21. *Production of apparel.* Apparel for the armed forces; work clothing; snowshoes; the following infants' and children's wear (woven and knit) when produced under the War Production Board's "Critical Infants' and Children's Apparel Production Program No. I": (1) Underwear and nightwear (a) through age 6—baby buntings, crib blankets, diapers, gertrudes, gowns, kimonas, pajamas, panties, quilted crib pads, shirts, sleepers, slips, training panties, union suits (heavyweight), waist suits (knit), wrappers; (b) age 6 through age 16—bloomers, briefs and/or shorts (boys'), pajamas, pants, sleepers, slips, union suits (heavyweight), vests, waist suits (knit); (2) Outerwear (a) through age 6—caps, toques, tams, helmets (knit); coat and legging sets; jackets; mittens; pants and/or slacks; ski pants; snow suits; sweaters; (b) age 6 through age 16—jackets, long pants and/or slacks (boys'), mackinaws, short pants and/or slacks (boys'), sweaters; (3) Play togs (a) through age 6—overalls (toddlers'), rompers and/or creepers, shirts, suits (including sun suits and wash suits); (b) age 6 through 16—shirts; (4) Utility garments (a) through age 6—anklets, coveralls, dresses, dungarees, half socks, overalls, ribbed hose; (b) age 6 through age 16—coveralls, crew socks (boys'), dungarees, golf hose (boys'), hose (children's, 5/8–7/8), overalls, shirts (boys'), work gloves (small, medium, large).

22. *Production of stone, clay and glass products.* Scientific and industrial glass products; acid-proof brick, firebrick, and other heat-resisting clay products; chemical lime; abrasive wheels, stones, paper, cloth and related products; asbestos products including steam and other packing, pipe and boiler covering; crucibles and retorts; gypsum board; mineral wool (for insulation); porcelain electrical supplies; as well as parts of military apparatus.

23. *Production of petroleum, natural-gas and petroleum and coal products.* Drilling, rig-building, and maintenance service operations, and petroleum refining. Includes also production of tar and pitch, coal gas, coke, and liquefied petroleum gas.

24. *Production of finished lumber products.* Cork products such as life preservers; storage battery boxes; insulating material; cars; matches; crutches; caskets; wood preservation activities; building, portable and prefabricated; wood base hardboard. Includes also wooden parts of aircraft, ships, and other military equipment.

25. *Production of transportation equipment.* The production of motor vehicles such as trucks, ambulances, fire engines, busses, and military motorized units; essential parts and accessories of such motor vehicles; motorcycles, bicycles, and parts; locomotives and parts; railroad and street cars, and equipment.

26. *Transportation services.* Air transportation; line-haul railroad; switching and terminal; railway and air express; freight forwarding; rail inspection; maintenance and repair of railroad equipment, buildings, right-of-way, and rolling stock; local transit, rapid transit, interurban electric railway, and over-the-road bus; offshore and intercoastal water transportation, including shore service such as stevedoring and harbor operations; pipeline transportation; transportation services on the inland waterways, Great Lakes, harbors, bays, sounds, and waters connected with the seas, including shore service such as stevedoring; trucking, warehousing, dry, open and cold storage of essential (perishable and nonperishable) commodities.

27. *Production of pulp, paper and materials for packing and shipping products*—(a) *Production of the following pulp, paper, paperboard, and converted products.* Pulp (made from pulpwood and other substances); the following types of paper stock and paper board; Absorbent for impregnation, asphalt laminating, blueprint, box board, butcher papers (untreated and treated), cable and electrical insulation, carbonizing, chart and map (Government), condenser tissue, container board, drafting, filter, fruit and vegetable wrapping tissue, gasket, glassine, greaseproof, gumming, mandrel winding stock, pattern tissue, photographic and other sensitized, rope and jute, safety base stock, sanitary (sanitary napkin stock, toweling stock, napkin stock, toilet tissue stock, hospital wadding stock, shipping sacks stock, tabulating card stock, tracing, twisting and spinning, vegetable parchment, waxing, wetmachine board, wrapping (machine finished and machine glazed); the following converted products from paper and paper board: Ammunition and shell cases, carbon, envelopes used for shipping and preserving essential products, fiber drums, gummed paper tape, hospital wadding, laminated waterproof and heavy crepe, liquid tight containers and closures, mandrel wound, mesh cloth and fabrics, napkins, nested paper cups, nested paper

food containers (excluding paper plates), paperboard boxes and shipping containers, sanitary napkins, shipping sacks, toilet tissue, towels, twine, waxed, waxed laminated and resin impregnated papers for food, munitions, and industrial wrapping.

(b) *Production of other materials for shipping and preserving essential products.* Bagging, jute, meat; bags, textile (except laundry bags); barrels, metal; baskets (Climax, fruit, vegetable); box shooks; boxes (metal, wooden and paperboard); cable, fiber; cans; cases, packing; containers (glass, metal, and wood; caps and closures for such containers); cooperage; cooperage stock (staves, headings, and hoops); cordage; crates; drums (shipping); excelsior; gummed cloth tape; reconditioning round stave baskets (one-half bushel and one bushel), hampers, wire-bound citrus boxes and celery crates, slack and tight coopered barrels, wooden lugs, apple boxes, and metal drums; rope; tin cans.

28. *Produtcion of communication equipment.* Radios and radio equipment; radar; telephone, telegraph, cable television, signalling apparatus; electrical sound equipment; vinylite transcriptions; telautograph.

29. *Communication services.* Magazines of general circulation which are devoted primarily to the dissemination of public information; newspapers and news syndicates; military, naval, and technical charts and maps, instructional and technical manuals, and training literature; production of motion pictures (including technical and vocational training films for the Army, Navy, and war production industries); motion picture film processing; news reels; development of sensitized film; protective signal systems which supplement fire and police protection to military, public, and private industrial and commercial establishments; radio broadcasting; radio communications (radiotelephone and radiotelegraph); cable service (land or submarine); telegraph; telephone; television; production for essential activities of continuous forms with or without one-time carbon; production for essential activities of snapout types of forms interleaved with one-time carbon, and produced on rotary equipment; and production of salesbook-type forms contracted for by governmental agencies.

30. *Heating, power, water supply and illuminating services.* Electric light and power, water, and gas utilities; steam-heating services; sewage systems; tree trimming for power and communication lines; water-well drilling; installation and servicing of liquefied petroleum gas facilities.

31. *Repair services.* Repair of: Vehicles, such as bicycles, motorcycles, automobiles, busses, trucks, taxicabs; tires; typewriters and business machines; elevators; shoe repairing; sewing machines; radios; refrigerators; clocks and watches; harnesses; tools; stoves; pneumatic tube systems; power laundry equipment electric appliances and motors, engines, heating equipment; scientific, commercial and industrial weighing machines; farm and other industrial and scientific equipment; welding service; roofing, and electric, gas, and plumbing and heating installations in domestic, commercial, and industrial buildings; building alteration, maintenance and repair, installation of insulating material; blacksmithing; armature rewinding; locksmithing. It is intended that consideration be given only to individuals qualified to render all-around repair services on the types of equipment specified herein.

32. *Health and welfare services.* Offices of physicians, surgeons, dentists, oculists, osteopaths, podiatrists (chiropodist), sanitary engineers, and veterinarians; medical, dental and optical laboratories; pharmaceutical services; hospitals; nursing services; institutional care; mortuary services; auxiliary civilian welfare services to the armed forces; welfare services to civilians; church activities; accident- and fire-preventive services; structural pest control services.

33. *Educational services.* Public and private industrial and agricultural vocational training; elementary, secondary, and preparatory schools; junior colleges, colleges, universities, and professional schools, educational and scientific research agencies; United States Maritime Service Training Program; Civil Aeronautics Administration Civilian Pilot Training Program; armed forces contract flying, ground, and factory aviation schools; and the production of technical and vocational training films.

34. *Governmental services.* Federal; other than Federal; cobelligerent.

35. *Technical, scientific, and management services.* The supplying of technical, scientific and management services to establishments engaged in war production; union-management negotiation services; publication of technical and scientific books and journals; and the services of Federal Reserve System district banks and branches (does not include services of member banks of the Federal Reserve System).

PAUL V. MCNUTT,
Chairman.

MARCH 25, 1944.

[F. R. Doc. 44-4366; Filed, March 28, 1944; 3:35 p. m.]

SALEM, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Salem, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Salem, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Salem Area shall include:

Columbiana County (Perry, Butler, Hanover, Knox, Salem and West townships).

II. The effective date of this designation is May 1, 1944.

III. Not later than the effective date, each employer in the Salem Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before April 16, 1944.

Date of issuance: March 21, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

[F. R. Doc. 44-4316; Filed, March 28, 1944; 9:37 a. m.]

MANSFIELD, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Mansfield, Ohio, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Mansfield, Ohio, Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Mansfield Area shall include:

Richland County and Ashland County.

II. The effective date of this designation is May 1, 1944.

III. Not later than the effective date, each employer in the Mansfield Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before April 16, 1944.

Date of issuance: March 21, 1944.

ROBERT C. GOODWIN,
Regional Director, Region V.

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